

New Hampshire
Department of Education

IDEA Part B Special Education
Annual Performance Report (APR)
For FFY 2010
(2010 – 2011)

Submitted February 1, 2012
Revised April 17, 2012

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Bureau of Special Education*

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http://www.education.nh.gov/instruction/special_ed/spp.htm

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Overview of the Annual Performance Report Development:

Stakeholder Input

In the development of the State Performance Plan (SPP) and the Annual Performance Report (APR), submitted on February 1, 2012, the NHDOE sought input and shared data with key stakeholders, including the NH Special Education State Advisory Committee on the Education of Students/Children with Disabilities (SAC). During SAC monthly meetings, the NHDOE made available information and data relative to the SPP and APR, soliciting input and feedback from SAC members. In addition, the NHDOE sought input from the NH Family-Centered Early Supports & Services Interagency Coordinating Council (ICC) on indicators related to preschool special education. The NHDOE has maximized opportunities for stakeholder input from broader constituencies through a variety of formal and informal input sessions, work with the NH Association of Special Education Administrators, and through feedback loops built into key initiatives. We have specifically sought input from NH parent organizations such as the Parent Information Center (NH's Parent Training Institute), NH Family Voices and NAMI-NH.

Details about stakeholder input that is specific to a given indicator are found in the overview section for that indicator.

Technical Assistance

The NHDOE sought technical assistance for the February 1, 2012 submission of the SPP and APR as follows:

- Participated in OSEP's teleconferences regarding the SPP and APR;
- Accessed guidance materials from the OSEP Right IDEA website at: <http://therightidea.tadnet.org/events>;
- Received ongoing consultation from our OSEP State Contact;
- Support from OSEP-funded Technical Assistance Center such as DAC, CADRE, ECO, NECTAC, NPSO, NSTTAC;
- Participated in activities sponsored by and sought technical assistance from the North East Regional Resource Center (NERRC);
- Accessed materials found on the IDEA 2004 website: <http://idea.ed.gov/explore/home>
- Attended OSEP-sponsored conferences for Part B and Section 619

Details about technical assistance are found in the related indicators. For example, Indicator 13 includes detailed information about the support from NERRC to the NHDOE regarding clarification on the identification and correction of non-compliance.

SPP Revisions

In accordance with OSEP Memorandum 12-4 and the SPP/APR application packet, the NHDOE respectfully submits:

- **Indicator 1:** The NHDOE has revised the SPP submitted with the FFY 2010 APR with an updated Overview of Issue/Description of System or Process, new baseline data and targets established by the ESEA. NHDOE's measurement for this indicator was revised to reflect the cohort graduation rate. These data should not be compared to previous years' data. Upon review, it was determined that the improvement activities in the SPP submitted with the FFY 2009 APR did not require revision.
- **Indicator 13:** NH SPP Improvement Activity 6 was added to this year's submission of the SPP/APR. This is a new activity. The decision of the NHDOE to contract with an Indicator 13 Coordinator was a result of the decision of the NHDOE to go to an onsite review process for this indicator that is separate from the Focused Monitoring Process. The NHDOE also made the decision to review more files per district/school that are scheduled to be reviewed for this indicator annually than in years past. Therefore, more time and resources must be dedicated to meeting 100% compliance for Indicator 13.

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- An updated Overview of the SPP including a description of where, on the NHDOE website, a complete copy of the State's revised SPP, including any revisions, is available, as well as where the NHDOE has reported to the public on the performance of each district in NH against the target's in the NH SPP. In addition, the SPP has been updated to include current information, such as the latest submission date, current website links, updated table of contents and information on revisions.

The NHDOE has informed the public of these revisions in the overview section of the SPP and APR as well as within the revised indicator. As required by the US Department of Education, Office of Special Education Programs (OSEP), the complete copy of the NH SPP (including revisions) has been posted on the NHDOE website by the February 1, 2012 deadline.

Public Reporting

The New Hampshire Department of Education (NHDOE) makes its State Performance Plan (SPP) and Annual Performance Report (APR) available through public means, including posting on the NHDOE website, distribution to the media and distribution through public agencies (20 USC 1416 Section 616(b)(2)(C)(ii)(I)). The NHDOE reports annually to the public (through this same dissemination process) on the progress and/or slippage in meeting the measurable and rigorous targets found in the SPP using the Annual Performance Report (APR). The revised SPP and the FFY 2010 APR submitted February 1, 2012 are posted on the NHDOE website at:

http://www.education.nh.gov/instruction/special_ed/spp.htm

In addition to posting on the NHDOE website, the NHDOE provides notification on how to access the SPP and APR to: the NH State Board of Education; the NH Special Education State Advisory Committee on the Education of Students/Children with Disabilities (SAC); NH Special Education Administrators Association; the State Library and the Parent Information Center. Paper and electronic copies on CD will be available upon request from the Bureau of Special Education, NHDOE. These documents are available in alternate format upon request.

As required by OSEP, the NHDOE reports annually to the public on specific performance of each local school district in the state on the targets set out in the SPP by posting District Data Profiles on the NHDOE website. These profiles report the performance of each local school district regarding the indicators in the SPP. The District Data Profiles can be viewed at:

http://www.education.nh.gov/instruction/special_ed/data_profiles.htm

Indicator 1 Overview of the Annual Performance Report Development

The OSEP-funded Data Accountability Center (DAC) and the North East Regional Resource Center (NERRC), as well as the OSEP State Contact for NH provided consultation to the NHDOE on issues related to data collection, analysis, and reporting for this indicator. As required by the Office of Special Education Programs (OSEP), the NHDOE aligned the targets for this indicator with the Elementary and Secondary Education Act (ESEA) graduation rate targets.

Monitoring Priority: FAPE in the LRE

Indicator 1: Percent of youth with IEPs graduating from high school with a regular diploma.

(20 U.S.C. 1416 (a)(3)(A))

Measurement: States must report using the graduation rate calculation and timeline established by the Department under the ESEA.

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Overview of FFY Data

FFY 2004 SPP – Baseline Year: 73%

FFY 2005 APR – First year of data: 72%

FFY 2006 APR – Second year of data: 75%

FFY 2007 APR- Third Year of data: 71%

FFY 2008 APR (data collected in FFY 2007) – Third year of Data: 71%

FFY 2009 APR – Fourth year of data: 91.11%

FFY 2010 APR – New Baseline Year*: 71.56%

*As detailed in the February 1, 2012 SPP, NHDOE's measurement for this indicator was revised to reflect the cohort graduation rate. These data should not be compared to previous years' data.

Reporting year: Consistent with the OSEP Part B Indicator Measurement Table, the NHDOE has described the results of the examination of the data for the year before the reporting year (e.g., for the FFY 2010 APR, use data from 2009-2010), and compared the results to the target that was set for 2009-2010 in the State Performance Plan.

Data Examination for 2009-2010: This is the first year NH has been able to report a four-year cohort graduation rate for all students and for the disaggregate population of students with disabilities using the CSPR data. This resets the baseline data for this Indicator. Moving forward the NHDOE will be able to calculate, in addition to a four-year cohort graduation rate, a five-year and a six-year cohort graduation rate for all students and for students with disabilities. The data are the same data reported under ESEA and are provided by the Bureau of Information Services, Division of Program Support, New Hampshire State Department of Education,

Aligning Graduation Rate Targets with Title I of ESEA: As required by OSEP, the NHDOE has aligned targets for *Indicator 1: Graduation Rates for Youth with IEPs* with the graduation rate targets for all students under Title I of the ESEA for the FFY 2010 SPP/APR submission. NHDOE converted to a cohort graduation rate beginning with the 2009-2010 school year. As identified in the *NH Consolidated State Performance Report (CSPR): Parts I and II for State Formula Grant Programs under the Elementary and Secondary Education Act (ESEA) for reporting on School Year 2009-2010*, for High School AYP determinations, the ultimate graduation rate target for all students is 95% in AYP year 2013-2014 (which reflects graduates from the previous school of 2012-2013).

FFY	Measurable and Rigorous Target
FFY 2010 APR (AYP Year 2009-2010)	75%

FFY	Actual Target Data for FFY 2010 APR (for this indicator, report data for the year before the reporting year: 2008-2009)
FFY 2010 APR (2009-2010 Data)	71.56%

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Calculation

$$\begin{array}{rcl} \text{On time graduates by 2010 (spring + summer graduates)} & = & 2,083 \\ \hline [(\text{first time 9th graders in year 06-07} + (\text{transfers in}) - (\text{transfers out})) & = & 2,911 \end{array}$$

Explanation of Calculation

When reporting graduation rates for the APR, OSEP requires States to use the same data as used for reporting to the US Department of Education under Title I of the Elementary and Secondary Education Act (ESEA). These data are reported in the CSPR for all students. In order to calculate this for students with IEPs, the Bureau of Information Services identified youth with IEPs in the overall data and performed the same calculation for this subgroup as the calculation used for all youth.

As reported in the 2009-2010 CSPR in reference to Section 1.8.1 Graduation Rates: "This response is taken directly from Section 7.3 of New Hampshire's Accountability Workbook. Currently NH reports drop-out rates. NH uses a modified NCES definition of graduation (does not include GED) rate until such time as a data collection system allows us to gather more accurate graduation rates. New Hampshire's graduation rate is calculated as the percentage of students who complete high school and earn a regular high school diploma within the standard number of years. The standard number of years for youth with an IEP/504 plans are specified in those documents. NH Graduation Rate = Completer Rate X Regular Diploma Rate Where, Completer rate = 100% - Cumulative Dropout Rate % and Regular Diploma Rate in the standard # of years = # of completers with regular diplomas earned in the standard # of years Number of Completers with regular + nonstandard diplomas."

Definition and Requirements for Graduation with a Regular Diploma

RSA 186-C: 9 Education Required states that an educationally disabled child "shall be entitled to continue in an approved program until such time as the child has acquired a high school diploma or has attained the age of 21, whichever occurs first..." New Hampshire does not recognize alternative diplomas, IEP diplomas, the GED, certificates of attendance or any other form but a regular high school diploma for the purposes of counting a child as fulfilling the diploma exiting requirement of RSA 186-C:9. To earn a regular high school diploma, a child must, as specified in the Minimum Standards for Public School Approval effective 7/1/05, Section Ed 306.27, earn "a minimum of 20 credits for a regular high school diploma, unless the local school board has set a requirement of more than 20 credits for a regular high school diploma, in which case the local credit requirement shall apply". In NH, a regular high school diploma is conferred by the local school board.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010:

Note: The NHDOE reports improvement activities previously completed or not completed based on the expectations for the reporting period. Many activities are ongoing and will be continued in the next year even though they have been completed for the reporting period. In addition, many of the activities reported in Indicator 1 are referenced in other related indicators.

NH SPP Improvement Activity 1: Completed

In the summer of 2010, the NHDOE sought a five year *High School Graduation Initiative* grant from the USDOE to support youth with IEPs graduating with a regular high school diploma. NH's proposal, entitled *Achievement for Dropout Prevention and Excellence: 2015* (APEX 2015) was to work with the ten high schools in the state with the highest dropout rates, as well as the largest high school populations, using a tiered approach through *Positive Behavioral Interventions and Supports*, *Response to Intervention*, and NH's own *Rehabilitation for Empowerment, Natural Supports, Education and Work*, to reduce the incidence of dropouts, increase graduation rates and support a successful transition from high school into post-secondary education or employment. The APEX 2015 model was designed after APEX I, II, and III, with the addition of *Response to Intervention*, an Early Warning Data System, and strong secondary transition training and supports. The USDOE did not award a grant for NH's APEX's 2015.

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NH SPP Improvement Activity 2: Completed

The NHDOE provided public reporting on graduation rates, as required by OSEP.

NH SPP Improvement Activity 3: Completed

NH Senate Bill 18, raised the compulsory age of school attendance from 16 to 18. This went into effect July 1, 2009. New Hampshire continues to enforce Senate Bill 18 across the state and has seen an increase in graduation rates and a decrease in dropout rates since the bills inception.

NH SPP Improvement Activity 4: Completed

The Bureau of Special Education participated in the Governor's 2011 Summit for High School Graduation. The Bureau sat on a panel that focused on supporting students with disabilities, age 17 to 21, who become incarcerated prior to high school graduation. The Bureau acts as a liaison between NH county jails and NH school districts to ensure that students with disabilities who become incarcerated continue to receive special education services and supports to ensure their continued path to a regular high school diploma. The Governor and Commissioner of Education continue to strongly advocate and support the success of all students in the state towards successfully obtaining a high school diploma, even when a student becomes incarcerated.

NH SPP Improvement Activity 5:

The NHDOE, Bureau of Special Education re-issued an RFP under the title *Supporting At-Risk Children and Youth with Disabilities through Evidence-Based Problem Solving Frameworks Statewide Technical Assistance* in the late summer of 2009. The successful bidder was awarded a two-year contract for \$750,000 in the winter of the early months of 2010, and awarded a two-year renewal that will end on June 30, 2013. The successful bidder was the University of New Hampshire's *Institute on Disability* (IOD), with a proposal titled *Achievement for Dropout Prevention and Excellence III* (APEX III). APEX III focuses on reducing NH's high school dropout rate for students with disabilities, while increasing the graduation rate of students with disabilities, as well using flexible approaches to help youth with IEPs who have already dropped out of high schools re-enter to complete their secondary education. APEX III is providing direct services, training, and technical assistance to six high schools in the state that had higher-than-state-average dropout rates and high rates of disciplinary problems among youth with IEPs during the baseline year, and developing and providing high quality training for middle and high schools throughout the state.

The APEX III model consists of two complimentary interventions to target dropouts and students at-risk: *Positive Behavioral Interventions and Supports* (PBIS) and *Rehabilitation for Empowerment, Natural Supports, Education and Work* (RENEW). APEX III project will build a systematic approach to provide behavior support services for all students (Tier 1), as well as targeted (Tier 2) and intensive, individualized school-to-career services (Tier 3) in the seven (7) high schools that applied to participate. The demonstration high schools during the first two years of the grant were: Manchester's West High School and Memorial High School, Raymond High School in Raymond, Nute High School in Milton, Campbell High School in Litchfield and Pittsfield High School in Pittsfield. Beginning in the summer of 2011 the APEX III project began working with the 7th school, Pinkerton Academy in Derry, focusing only on their Freshman Academy at the Tier 2 and Tier 3 levels. By providing direct services to the highest risk students with disabilities and training and technical assistance for school staffs within a positive behavioral support problem-solving framework, the IOD will to assist and enable those schools to improve their outcomes for students with disabilities.

The original six (6) APEX III high schools all saw a decrease in dropout rates from 08-09 to 09-10 school year or remained at 0%; saw an increase in graduation rates from the 08-09 to 09-10 school year. APEX III, beyond providing direct services and technical support to the six above-mentioned high schools, also successfully provided multiple training sessions and webinars across the state, open to the public, around secondary transition, career readiness, and extended learning opportunities for students with disabilities. APEX III also co-sponsored the NH Transition Community of Practice's Fourth Annual Summit in the fall of 2011 and held the Sixth Annual APEX Summer Institute in August 2011 that was open to all NH high schools as well as high schools in surrounding New England states.

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NH SPP Improvement Activity 6: Completed

The NHDOE contracted with four Technical Assistance Consultants (TAC) during the 09-10 school year and the 10-11 school year. The TACs provided various professional development sessions, at the individual request of NH school districts, in areas such as writing measurable annual IEP goals and post-secondary goals, writing successful secondary transition plans, and special education process and policies. TACs also acted as the trainers for various NHDOE ran programs such as the IEP Facilitation Program and the Educational Surrogate Parent Program. TACs also strongly supported the NHDOE, Bureau of Special Education in the onsite monitoring process for Indicator 13 acting as reviewers in conjunction with NHDOE staff during onsite visits with school districts. Lastly, the Bureau was able to utilize the expertise of one of the TACs to support the Bureau in the Instructional Materials Center's transition from an outside vendor to being housed within the NHDOE. The TAC who has supported the NHDOE Instructional Materials Center's mission worked closely with all NH school districts and the vision teachers within those districts in supporting students with visual impairments.

The Bureau also released a new RFP in the spring of 2011 requesting proposals for TACs for the upcoming school year. The Bureau has successfully contracted with one TAC for the 2011-2012 school year. The Bureau anticipates re-releasing this RFP in the early fall of 2011 to secure contracts with more than the one TAC that has been contracted to date.

NH SPP Improvement Activity 7: Completed

The Bureau has continued to monitor houses of corrections and NH school districts to ensure that student with disabilities who become incarcerated prior to obtaining their high school diploma are receiving special education supports and services while incarcerated. The Bureau, acting as a liaison between the ten (10) NH Houses of Corrections (HOCs) and NH school districts, is responsible to notify school districts of a student's incarceration and to ensure the school districts are aware of their obligation to support those students through the age of 21 or until the receipt of high school diploma. The Bureau provides support and technical assistance to all of the NH HOCs and NH school districts in this process and will continue to do so.

Explanation of Progress or Slippage

The NHDOE did not meet the target for 2009-2010.

State Actual Data: 71.56% Target: 75%

Baseline was re-established because the NHDOE changed to a cohort graduation calculation rate and therefore data cannot be compared to the previous year for progress or slippage.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011:

The NHDOE has revised the SPP submitted with the FFY 2010 APR with an updated **Overview of Issue/Description of System or Process**, new baseline data and targets established by the ESEA. Upon review, it was determined that the improvement activities submitted in the FFY 2009 SPP did not require revision.

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Overview of the Annual Performance Report Development:

The development of the NH Part B State Annual Performance Report (APR) for FFY 2010 is described in the Overview section of the APR.

Stakeholder Input

The NHDOE sought input regarding this indicator through statewide, regional and individual discussions with special education directors. In addition, a number of improvement activities provide an ongoing opportunity for discussions.

Technical Assistance

The NHDOE received technical assistance from the Data Accountability Center and the OSEP State Contact regarding the development of this indicator.

Monitoring Priority: FAPE in the LRE

Indicator 2: Percent of youth with IEPs dropping out of high school.

(20 U.S.C. 1416 (a)(3)(A))

Measurement: States must report using the dropout data used in the ESEA graduation rate calculation and follow the timeline established by the Department under the ESEA.

Overview of FFY Data

FFY 2008 APR- Baseline Year: 4.53%

FFY 2009 APR – First Year of data: 2.30%

FFY 2010 APR- Second Year of data: 0.67%

Reporting year: Consistent with the OSEP Part B Indicator Measurement Table, the NHDOE has described the results of the examination of the data for the year before the reporting year (e.g., for the FFY 2010 APR, use data from 2009-2010), and compare the results to the target that was set for 2009-2010 in the State Performance Plan.

FFY	Measurable and Rigorous Target
FFY 2009 (2009-2010)	3.3%

FFY	Actual Target Data for FFY 2010 APR (for this indicator, report data for the year before the reporting year: 2009-2010)
FFY 2009 (2009-2010)	0.67%

Note: There are no dropout rate targets established in the New Hampshire *Consolidated State Performance Report (CSPR): Parts I and II for State Formula Grant Programs* under the *Elementary and Secondary Education Act (ESEA)* for reporting on School Year 2009-2010. Therefore, the NHDOE

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Bureau of Special Education will continue to use the targets established in the SPP until the calculation based on a cohort group is in place.

Calculation

Percent = Dropout count of youth with IEPs *divided* by the October 1 enrollment of youth with IEPs of that school year *plus* the # of youth with IEPs who dropped out between the 1st day of school and October 1 times 100.

$$0.67\% = [69 / (10,284 + 0)] \times 100$$

Explanation of Calculation and Definitions (if applicable)

The calculation for the dropout rate for students with IEPs used in this FFY 2010 APR was the same calculation that the NHDOE Bureau of Data Management used to determine dropout rates for all students for 2009-2010.

Narrative describing what counts as dropping out for all youth and, if different, what counts as dropping out for youth with IEPs.

For 2009-2010, any early exiters who has not received a GED or been enrolled in college prior to the compilation of this report is considered a dropout. This definition holds true for all students, with and without an IEP.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010:

Note: The NHDOE reports improvement activities as completed or not completed based on the expectations for the activity for the reporting period. Even though an activity may be reported as completed for the reporting period, the activity may be ongoing and continue in the next year.

NH SPP Improvement Activity 1: Completed

The NHDOE, Bureau of Special Education re-issued an RFP under the title *Supporting At-Risk Children and Youth with Disabilities through Evidence-Based Problem Solving Frameworks Statewide Technical Assistance* in the late summer of 2009. The successful bidder was awarded a two-year contract for \$750,000 in the winter of the early months of 2010, and awarded a two-year renewal that will end on June 30, 2013. The successful bidder was the University of New Hampshire's *Institute on Disability* (IOD), with a proposal titled *Achievement for Dropout Prevention and Excellence III* (APEX III). APEX III focuses on reducing NH's high school dropout rate for students with disabilities, while increasing the graduation rate of students with disabilities, as well using flexible approaches to help youth with IEPs who have already dropped out of high schools re-enter to complete their secondary education. APEX III is providing direct services, training, and technical assistance to six high schools in the state that had higher-than-state-average dropout rates and high rates of disciplinary problems among youth with IEPs during the baseline year, and developing and providing high quality training for middle and high schools throughout the state.

The APEX III model consists of two complimentary interventions to target dropouts and students at-risk: *Positive Behavioral Interventions and Supports* (PBIS) and *Rehabilitation for Empowerment, Natural Supports, Education and Work* (RENEW). The APEX III project will build a systematic approach to provide behavior support services for all students (Tier 1), as well as targeted (Tier 2) and intensive, individualized school-to-career services (Tier 3) in the seven (7) high schools that applied to participate. The demonstration high schools during the first two years of the grant were: Manchester's West High School and Memorial High School, Raymond High School in Raymond, Nute High School in Milton, Campbell High School in Litchfield and Pittsfield High School in Pittsfield. Beginning in the summer of 2011 the APEX III project began working with the 7th school, Pinkerton Academy in Derry, focusing only on their Freshman Academy at the Tier 2 and Tier 3 levels. By providing direct services to the highest risk students with disabilities and training and technical assistance for school staffs within a positive

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behavioral support problem-solving framework, the IOD will to assist and enable those schools to improve their outcomes for students with disabilities.

The original six (6) APEX III high schools all saw a decrease in dropout rates from the 08-09 to 09-10 school year or remained at 0%; saw an increase in graduation rates from the 08-09 to 09-10 school year. APEX III, beyond providing direct services and technical support to the six above-mentioned high schools, also successfully provided multiple training sessions and webinars across the state, open to the public, around secondary transition, career readiness, and extended learning opportunities for students with disabilities. APEX III also co-sponsored the NH Transition Community of Practice's Fourth Annual Summit in the fall of 2011 and held the Sixth Annual APEX Summer Institute in August 2011 that was open to all NH high schools as well as high schools in surrounding New England states.

NH SPP Improvement Activity 2: Completed

The NHDOE supported sustainability efforts through ongoing technical assistance to all APEX I and APEX II schools. The NHDOE continued to support sustainability efforts through technical assistance to the high schools that were involved in the APEX I and the APEX II schools. Two of those schools continue to be a part of NH's dropout prevention efforts in the APEX III project. Those schools are Raymond High School and Manchester Memorial High School. The other schools involved in APEX I and II continue to receive support through the Bureau's Technical Assistance Consultant project (see Indicator 1), the statewide Transition Series provided by NH RESPONDS and APEX III, the Fourth Annual Transition Summit, and participation in the Sixth Annual APEX Summer Institute.

NH SPP Improvement Activity 3: Completed

For the Annual Performance Report (APR) to be submitted February 1 of each year the NHDOE, with broad stakeholder input reviewed and, if necessary, revised SPP targets to determine if they continue to be rigorous and measurable; and to strengthen improvement activities, timelines, and resources to ensure they are effective for meeting the targets.

NH SPP Improvement Activity 4: Completed

The NHDOE published District Data Profiles (DDP) based on the data reported in last year's APR. DDPs were published on the state website and disseminated broadly to the media and key state stakeholder groups such as the NH Special Education State Advisory Committee for Students/Children with Disabilities (SAC), the NH State Board of Education, the NH Parent Information Center (PTI), and the NH Association of Special Education Administrators.

NH SPP Improvement Activity 5: Completed

NH Senate Bill 18, raised the compulsory age of school attendance from 16 to 18. This went into effect July 1, 2009. New Hampshire continues to enforce Senate Bill 18 across the state and has seen an increase in graduation rates and a decrease in dropout rates since the bills inception.

NH SPP Improvement Activity 6: The Bureau of Special Education participated in the Governor's 2011 Summit for High School Graduation. The Bureau sat on a panel that focused on supporting students with disabilities, age 17 to 21, who become incarcerated prior to high school graduation. The Bureau acts as a liaison between NH county jails and NH school districts to ensure that students with disabilities who become incarcerated continue to receive special education services and supports to ensure their continued path to a regular high school diploma. The Governor and Commissioner of Education continue to strongly advocate and support the success of all students in the state towards successfully obtaining a high school diploma, even when a student becomes incarcerated.

NH SPP Improvement Activity 7: The NHDOE contracted with four Technical Assistance Consultants (TAC) during the 09-10 school year and the 10-11 school year. The TACs provided various professional development sessions, at the individual request of NH school districts, in areas such as writing measurable annual IEP goals and post-secondary goals, writing successful secondary transition plans, and special education process and policies. TACs also acted as the trainers for various NHDOE programs such as the IEP Facilitation Program and the Educational Surrogate Parent Program. TACs

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also strongly supported the NHDOE, Bureau of Special Education in the onsite monitoring process for Indicator 13 acting as reviewers in conjunction with NHDOE staff during onsite visits with school districts. Lastly, the Bureau was able to utilize the expertise of one of the TACs to support the Bureau in the Instructional Materials Center's transition from an outside vendor to being housed within the NHDOE. The TAC who has supported the NHDOE Instructional Materials Center's mission worked closely with all NH school districts and the vision teachers within those districts in supporting students with visual impairments.

The Bureau also released a new RFP in the spring of 2011 requesting proposals for TACs for the upcoming school year and has successfully contracted with one TAC for the 2011-2012 school year. The Bureau re-released this RFP in November of 2011 with the intent to secure contracts with more than the one TAC that has been contracted with to date.

NH SPP Improvement Activity 8: The Bureau has continued to monitor houses of corrections and NH school districts to ensure that students with disabilities who become incarcerated prior to obtaining their high school diploma are receiving special education supports and services while incarcerated. The Bureau, acting as a liaison between the ten (10) NH Houses of Corrections (HOCs) and NH school districts, is responsible to notify school districts of a student's incarceration and to ensure the school districts are aware of their obligation to support those students through the age of 21 or until the receipt of a high school diploma. The Bureau provides support and technical assistance to all of the NH HOCs and NH school districts in this process and will continue to do so.

NH Improvement Activity Cluster

Improvement Activities listed in Indicator 1, 2, 3, 4, 5, 8, 9, 10, 11, 13, and 14 are also relevant to improvement for this indicator.

Explanation of Progress or Slippage

The NHDOE exceeded the target of 3.3% for 2009-2010 by 2.63 percentage points.

State Data: 0.67% Target: 3.3%

The NHDOE demonstrated progress in this indicator of 1.63 percentage points from the previous FFY 2009 APR (from a dropout rate of 2.3% to 0.67%)

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011:

There were no revisions to the SPP for this indicator.

Overview of the Annual Performance Report Development:

The development of the NH Part B State Annual Performance Report (APR) for FFY 2010 is described in the Overview section of the APR. The NHDOE has elected to use the OSEP Optional template for this Indicator.

Stakeholder Input

The NHDOE Bureau of Accountability received input from the NH Adequate Yearly Progress (AYP) Task Force regarding the NH system for statewide assessments for accountability reporting under Title I of the ESEA. The task force advises the department on all policies and procedures relative to statewide assessment.

The Bureau of Special Education conducted ongoing meetings with representatives from the Office of Accountability and the EDFacts Coordinator to ensure that the data used in this indicator reflected the federal and state accountability requirements that annually measure and publicly report the progress of students in each school and district in meeting statewide performance targets (Annual Measurable Objectives-AMOs) on the statewide assessment. Based on these discussions, the NHDOE intends to link the information regarding the participation and performance of children with IEPs on statewide assessment from the Accountability webpage to the District Data Profiles.

Technical Assistance

The New Hampshire Department of Education sought technical assistance from the Office of Special Education Programs (OSEP); the Data Accountability Center (DAC), and the Northeast Regional Resource Center (NERRC) to support the development of this indicator. Specifically this TA supported the NHDOE with meeting OSEP reporting requirements in this APR. The NHDOE utilized the optional APR template – Part B to report on this indicator.

Monitoring Priority: FAPE in the LRE

Indicator 3: Participation and performance of children with IEPs on statewide assessments:

- A. Percent of the districts with a disability subgroup that meets the State's minimum "n" size that meet the State's AYP targets for the disability subgroup.
- B. Participation rate for children with IEPs.
- C. Proficiency rate for children with IEPs against grade level, modified and alternate academic achievement standards.

(20 U.S.C. 1416 (a)(3)(A))

Measurement:

A. AYP percent = $\left[\left(\frac{\text{\# of districts with a disability subgroup that meets the State's minimum "n" size that meet the State's AYP targets for the disability subgroup}}{\text{total \# of districts that have a disability subgroup that meets the State's minimum "n" size}} \right) \right] \text{ times } 100.$

B. Participation rate percent = $\left[\left(\frac{\text{\# of children with IEPs participating in the assessment}}{\text{total \# of children with IEPs enrolled during the testing window, calculated separately for reading and math}} \right) \right] \text{ times } 100.$ The participation rate is based on all children with IEPs, including both children with IEPs enrolled for a full academic year and those not enrolled for a full academic year.

C. Proficiency rate percent = $\left[\left(\frac{\text{\# of children with IEPs enrolled for a full academic year scoring at or above proficient}}{\text{total \# of children with IEPs enrolled for a full academic year, calculated separately for reading and math}} \right) \right] \text{ times } 100.$

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Overview of FFY Data:

	A. District AYP Data	B: Overall Participation Rate	C. Proficiency Rate
FFY 2004 SPP – Baseline Year -	42%	96.18%	Reading Proficiency: 33.45% Mathematics Proficiency: 44.59%
FFY 2005 APR – First year of Data (Grade10 only) -	District AYP was not determined for this reporting period (see FFY 2005 APR)	Reading Participation: 97.24% Mathematics Participation: 96.64%	Reading Proficiency: 41.49% Mathematics Proficiency: 31.81%
FFY 2006 APR – Second year of Data (Grade 3-8)	41%	Reading Participation: 98.8 % Mathematics Participation: 98.6%	Reading Proficiency: 29.12% Mathematics Proficiency: 28.36%
FFY 2007 APR – Third year of Data (Grade 3-8 and 11)	35%	Reading Participation: 97.8% Mathematics Participation: 97.6%	Reading Proficiency: 31.9% Mathematics Proficiency: 26.9%
FFY 2008 APR – Fourth year of Data (Grade 3-8 and 11)	33.58%	Reading Participation: 98.21% Mathematics Participation: 97.94%	Reading Proficiency: 35.18% Mathematics Proficiency: 29.22%
FFY 2009 APR – Fifth Year of Data (Grade 3-8 and 11)	24.63 %	Reading Participation: 97.71% Mathematics Participation: 97.81%	Reading Proficiency: 38.45% Mathematics Proficiency: 33.96%
FFY 2010 APR – Six Year of Data (Grade 3-8 and 11)	28%	Reading Participation: 99% Mathematics Participation: 98%	Reading Proficiency: 37% Mathematics Proficiency: 31%

Targets and Actual Target Data for FFY 2010:

Data for the indicator were provided by the NHDOE, Bureau of Accountability. These data include the 2011 AYP results based on the October 2010 New England Common Assessment Program (NECAP)

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result for Grades 3-8 and 11 and the May 2010 NH-Alternate Assessment results for Grade 2-7 and 10. These AYP data are used for accountability reporting under Title I of the ESEA. The NHDOE reports annually to the public on specific performance of each local district in the state on the targets regarding this indicator by posting District Data Profiles on the NHDOE website. For posting District Data Profiles for this indicator the NHDOE will refer directly to the Bureau of Accountability website for the District Assessment Results regarding the participation and the performance for students with disabilities.

For more information regarding the 2011 AYP results and the NH State Assessment including the NHSEA Accountability Workbook, please visit:

<http://reporting.measuredprogress.org/nhprofile/reports.aspx?view=34>

<http://www.education.nh.gov/instruction/accountability/ayp/ayp2011.htm>

<http://www.education.nh.gov/instruction/accountability/index.htm>

FFY 2010	Measurable and Rigorous Targets									
	Districts Meeting AYP for Disability Subgroup (3A)		Participation for Students with IEPs (3B)				Proficiency for Students with IEPs (3C)			
Targets for FFY 2010 (2010-2011)	47%		Reading		Math		Reading		Math	
			97%		97%		70.40%		69.19%	
Actual Target Data for FFY 2010 (2010-2011)	#	%	#	%	#	%	#	%	#	%
	39/137	28%	16,209/16,455	99%	16,191/16,453	98%	6,051/16,209	37%	5,093/16,191	31%

The NHDOE has chosen to report targets and actual target data for 3.A, 3.B, and 3.C in one table. Actual numbers used to make the calculations are provided under each of the sub-indicators. The NHDOE set measurable and rigorous proficiency targets for students with IEPs across all grades 3-8 and 11 in reading and math in the State Performance Plan. The NHDOE ESEA targets are based on annual measureable objectives known as index targets for reading and math. OSEP requires states to report on ESEA measureable objects as a percentage, not as an index. Therefore, since the targets set in the SPP are percentages, the NHDOE has decided to continue to use the targets established in the SPP.

As required by OSEP for this annual report, the NHDOE has provided participation data separately for reading and math. Participation rates were inclusive of all ESEA grades assessed (3-8 and 11 in high school and 2-7 and 10 for the alternate assessment for children with disabilities. All children with IEPs were accounted for in all grades assessed, including children not participating in assessments and children enrolled for less than a full academic year, whether or not they were participants.

Below is information on NH assessment accommodations and valid scores.

- Accommodations yielding valid scores: Tests taken by students who were provided accommodations that have been approved by the State are considered valid and the students should be included as participants.
- Accommodations may be approved in one or two ways: (1) in most cases approved accommodations are selected from the NHDOE list of preapproved accommodations; (2) the NHDOE allowed the IEP team to seek approval from the SEA for use of accommodations that do not appear on the preapproved list. In these cases, the tests may still yield a valid score, if the

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State determined that the accommodations did not invalidate the score. Students who received these accommodations were included in the participation rates.

- Unapproved accommodations: Scores for students who received accommodations that were NOT approved by the State are invalid. 34 CFR §§300.160(b) and 300.160(f)(1).
- Invalid scores due to unapproved accommodations: All students who received invalid scores due to an accommodation that was not approved by the State (as determined by the State), must be counted as non-participants. In making the calculations, these students must be included in the denominator (# children with IEPs enrolled during the testing window), but NOT in the numerator (# children with IEPs participating in the assessment). NH complies with this calculation. These students are not included in the numerator or denominator for calculating performance.

Other invalid scores: Under certain circumstances, students whose scores are considered invalid for any other reason may be considered participants, consistent with the State's ESEA Accountability Workbook, for example: *the student left test booklet blank, or used a pen instead of a pencil.*

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010:

Note: The NHDOE reports improvement activities as completed or not completed based on the expectations for the activity for the reporting period. Even though an activity may be reported as completed for the reporting period, the activity may be ongoing and continue in the next year.

NH SPP Improvement Activity 1: Completed

The NHDOE Bureau of Accountability and Bureau of Special Education provided ongoing professional development and technical assistance relative to **the participation requirement** of all students, including students with disabilities on statewide assessments with the opportunities available in the following activities:

- State policy documents were posted publicly that specify the requirement that all students are expected to participate in the required content area assessments at specified grades.
- All statewide test administration workshops that were conducted annually for both NECAP general assessment and NH ALPs alternate assessment based on alternate achievement standards contained the information concerning the participation requirement.
- All statewide test administration manuals and related training materials contain this information concerning the participation requirement.
- Several other statewide workshops related to statewide assessment and funded under the; *Gaining Access to What Students with Cognitive Disabilities Know* included this information relative to the participation requirement.

NH SPP Improvement Activity 2: Completed

The NHDOE Bureau of Accountability and Bureau of Special Education provided ongoing professional development and technical assistance relative to accommodations and modifications, assisting schools, districts, and non-public special education programs as they align curriculum, instruction, and assessment to demanding content standards in mathematics and reading. The following activities conducted to support this effort included:

- The NH Alternate Learning Progressions Assessment (ALPs) and NECAP workshops provided technical assistance to test administrators.

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- NH Alternate Learning Progressions Assessment staff provided weekly statewide individualized coaching sessions that offered guidance for teachers and IEP team members in understanding how to make reading, mathematics, writing and science state content standards accessible in meaningful ways for students with the most severe cognitive disabilities. These sessions also taught teachers how to develop student work samples that would clearly indicate evidence of student performance on these challenging academic standards.
- Workshops were also conducted with Special Education Administrators regarding alignment of student work to the newly developed alternate achievement standards linked to the NH Curriculum Frameworks for all students.

NH SPP Improvement Activity 3: Completed

The NHDOE sought additional grants from the USDOE to support the participation and performance of children with disabilities on statewide assessments.

Activities included:

1. The NHDOE partnered with Minnesota in a multiple year *Enhanced Assessment Grant* under the Office of Elementary and Secondary Education Act, entitled *The Accessible Portable Item Protocol Project (APIP)*. The project created a standardized system to code universally accessible test items that were portable across delivery systems. The project developed accessible testing items that are affordable and standardized as a valuable option to be incorporated into large scale assessments.
2. The NHDOE in partnership with several states was awarded a grant to create a universal student Accessibility Assessment System (SAAS) in the Nimble Assessment System. This tool informs schools, and families to make effective decisions as to how a student will participate in the statewide assessment.

NH SPP Improvement Activity 4: Completed

The NHDOE supported an assessment coach to work directly through the Bureau of Accountability to provide technical assistance support to school districts regarding the implementation of The New Hampshire Alternate Learning Progressions (NH-ALPs) Assessment.

Outcomes of the work included:

- The assessment coach worked during 2010-2011 school year with content specialists and sensory/communication access specialists to develop guidelines for teachers about the new alternate assessment: *The New Hampshire Alternate Learning Progressions (NH-ALPs) Assessment*.
- The assessment coach supported schools, families and other members of IEP teams to embrace the expectation that students with disabilities who participate in *The New Hampshire Alternate Learning Progressions (NH-ALPs) Assessment* are able to demonstrate progression in their content performance. This assessment coach also provided technical assistance and support to the field to help teachers find better ways to help students learn the content and demonstrate what they know and can do.
- The assessment coach was involved in providing statewide general information sessions for educators whose students participated in the *New Hampshire Alternate Learning Progressions (NH-ALPs) Assessments* during the 2010-2011 school year. These sessions introduced the new format of the assessment and provided guidance on how to plan and prepare for the March-May 2011 data collection period.
- The assessment coach was involved in test administration training workshops to general and special educators regarding the new version of the NH Alternate Assessment: *The New*

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Hampshire Alternate Learning Progressions (NH-ALPs) Assessment scheduled during the 2011-2012 school year. These regional trainings provided targeted technical assistance to educators about the concept of defined learning progressions, or clusters of concepts (GLEs) that appear to develop together within mathematics, reading, writing and science. Educators were trained to gather evidence through the use of both video clips and structured written narrative documentation to show us how their students are performing on specified content standards in integrated, authentic ways. The trainings instructed educators about the type of data and process about what data collection would effectively assess how they could document student growth based on evidences of work samples that reflects “highest & best” performance of the school year.

NH SPP Improvement Activity 5: Completed

For the Annual Performance Report (APR) to be submitted February 1, 2012, the NHDOE received broad stakeholder input to ensure that improvement activities, timelines, and resources are effective for meeting the targets of this indicator.

NH SPP Improvement Activity 6: Completed

The NHDOE, as a governing member of the Smarter Balance Assessment Consortium created adaptive online exams, using “open source” technology. This online system provides accurate assessment information to teachers on the progress of all students including students with disabilities, English language learners and low and high performing students. The online system includes a variety of tools, processes and practices that teachers may use in planning and implementing ongoing assessment. This assists teachers in understanding what students are and are not learning on a daily basis so they can adjust instruction accordingly. As part of the Smarter Balance Assessment Consortium, the NHDOE also attended several subgroups to work on the development of next-generation assessments that are aligned to the Common Core State Standards and that accurately measure student progress toward college and career readiness. The work of the Consortium is guided by the belief that a high-quality assessment system can provide resources and tools for teachers and schools to improve instruction and help students succeed. The Consortium involves educators, researchers, policymakers, and community groups in a transparent and consensus-driven process.

NH SPP Improvement Activity 7: Completed

The NHDOE provided professional development and technical assistance training to special education teachers about the *New Hampshire Alternate Assessment Learning Progressions (NH-ALPs) Assessment*.

Activities included:

- The NHDOE provided Fall Information Sessions statewide for educators whose students will be participating in the *New Hampshire Alternate Learning Progressions (NH-ALPs) Assessments* during the 2011-2012 school year. These sessions introduced the new format of the assessment and provided guidance on how to plan and prepare for the March-May 2011 data collection period.
- In January 2011, the NHDOE provided official test administration training workshops to general and special educators regarding the new version of the NH Alternate Assessment: *The New Hampshire Alternate Learning Progressions (NH-ALPs) Assessment*. These regional trainings provided targeted technical assistance to educators about the concept of defined learning progressions, or clusters of concepts that appear to develop together within mathematics, reading, writing and science. Educators were trained to gather evidence through the use of both video clips and structured written narrative documentation to show us how their students are performing on specified content standards in integrated, authentic ways. The trainings instructed educators about the type of data and process about what data collection would effectively assess how student growth is documented based on evidences of work samples that reflects “highest & best” performance of the school year.

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NH SPP Improvement Activity 8: Completed

The NHDOE partnered with 10 other states, The National Center for Educational Outcomes, Center for Applied Special Technology, other national advisors, and Measured Progress, Inc., to develop the Student Accessibility Assessment System Project (SAAS). This project developed an online system based upon our prior work that developed the Nimble Assessment Accessibility Tools.

NH SPP Improvement Activity 9: Completed

The NHDOE launched the newly developed *New Hampshire Alternate Learning Progressions (NH-ALPs) Assessment*. The *NH Access by Design: Individualized Communication & Access Needs (I-CAN) Inventory & Resource System-Tools for Teachers of Students Participating in Alternate Assessments* is a tool that helps educators identify what students need to achieve learning, communication and performance goals.

NH SPP Improvement Activity 10: Completed

NHDOE published District Data Profiles which show how each district compares to state targets in the SPP. This was published on the state website and disseminated broadly to the media and key stakeholder groups such as the NH Special Education State Advisory Committee on the Education of Students/Children with Disabilities (SAC), the NH State Board of Education, the NH Parent Information Center, and the NH Association of Special Education Administrators. For posting District Data Profiles data for this indicator the NHDOE will refer directly to the Bureau of Accountability website for the District Assessment Results regarding the participation and the performance for students with disabilities.

Explanation of Progress or Slippage

3A. District AYP Target: The NHDOE did not meet the target of 47% for AYP for the disability subgroup in 2010-2011.

State Actual Data: 28% Target: 47%

The Elementary and Secondary Education Act requires that all students perform at proficient and above by the 2013-2014 school year. Based on that requirement, the NHDOE's performance targets for meeting AYP increases every two years. The NHDOE demonstrated progress of 3.37 percentage points (from 24.63% in 2010 to 28% in 2011) in the percent of districts that met AYP for the disability subgroup.

A contributing factor may be the results of district percentage of adequate yearly progress in each content area:

- A total of 46 percent of the New Hampshire districts made adequate yearly progress in Reading. This is an increase from 42% in 2009-2010 to 46% in 2010-2011 for a total of 4 percentage points.
- A total of 34 percent of the New Hampshire districts made adequate yearly progress in Math. This is an increase from 33% in 2009-2010 to 34% in 2010-2011 for a total of 1 percentage point.

New Hampshire continues to review improvement activities for this indicator and assess the effectiveness as implementation of these activities occurs.

3B. Participation Rate Target: The NHDOE exceeded the target of 97% for 2010-2011 for both reading and math. NH continues to ensure that children with disabilities participate in the State-wide assessment.

Reading:

State Actual Data: 99% Target: 97%

New Hampshire's participation rate increased by 2 percentage points (from 97% to 99%) in reading.

Math

State Actual Data: 98% Target: 97%

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New Hampshire's participation rate increased by 1 percentage points (from 97% to 98%) in math.

3C. Proficiency Targets:

Reading Proficiency: The NHDOE did not meet the target of 70.40% for 2010-2011. New Hampshire's proficiency rate in reading decreased from 38.45% in 2009-2010 to 37% in 2010-2011. In FFY 2004 New Hampshire's established reading baseline proficiency rate was 33.45%.

Math Proficiency: The NHDOE did not meet the target of 69.19% for 2010-2011. New Hampshire proficiency rate decreased from 33.96% in 2009-2010 to 31% in 2010-2011. In FFY 2004 New Hampshire's established math baseline proficiency rate was 29.22%.

Public Reporting Information <http://reporting.measuredprogress.org/nhprofile/reports.aspx?lid=91457>

The NHDOE made available to the public and reported to the public with the same frequency and in the same detail as it reports on the assessment of nondisabled children, the number of children with disabilities participating in regular assessments and alternate assessments based on alternate academic achievement standards. NH does not provide alternate assessments based on grade level or modified academic achievement standards.

All students, both with and without IEPs, are eligible for test accommodations as determined appropriate on an individual basis. As of the fall 2010 assessment (school year 2010-2011) the data on the number of children with disabilities who were provided an accommodation in order to participate in the assessment is publicly reported in accordance with 34 CFR §300.160(f).

The NHDOE reported on assessments for nondisabled children at the district and school level, as well as the State level. The NHDOE reported on the participation of children with disabilities broken down by any of the assessments listed above that are administered by the NHDOE, at those same levels, subject to cell size restrictions.

Additional Information Required by the OSEP APR Response Table for this Indicator (if applicable):

Statement from the Response Table	State's Response
Within 90 days of the receipt of this response table, the State must provide a Web link that demonstrates it has reported to the public on the statewide assessments of children with disabilities in accordance with 34 CFR §300.160(f). In addition, OSEP reminds the State that in the FFY 2010 APR, due February 1, 2012, the State must continue to include a Web link that demonstrates compliance with 34 CFR §300.160(f).	On August 22, 2011 the Bureau submitted a letter that included the Web link that demonstrated that New Hampshire publicly posted data for the FFY 10 APR report that included the information regarding the statewide assessments of children with disabilities in accordance with 34 CFR 300.160(f).

Revisions, with Justifications, to Proposed Targets / Improvement Activities/ Timelines/ Resources for FFY 2011:

There were no revisions to the SPP for this indicator.

Overview of the Annual Performance Report Development:

The development of the NH Part B State Annual Performance Report (APR) for FFY 2010 is described in the Overview section of the APR. The NHDOE has elected to use the OSEP Optional template for this Indicator.

Technical Assistance

The NHDOE worked with NERRC and the Data Accountability Center (DAC) in the continued development of this indicator. Technical assistance included specific guidance regarding the definition of suspensions and expulsions, our procedures for data analysis and identification of LEAs with significant discrepancy in the rates of suspensions and expulsions of greater than 10 days in a school year for children with IEPs, and the creation of documents to provide targeted technical assistance and guidance to school districts reading this indicator.

The NHDOE received additional technical assistance from the Office of Special Education Programs (OSEP) that included specific guidance regarding Indicator B4. The NHDOE attended the 2011 OSEP Leadership Mega Conference Session: “*Introduction to the B4 Technical Assistance Guide for Suspensions and Expulsions and a Peek at the National Finding*”. The NHDOE participated in the follow-up webinars conducted by OSEP during the Fall 2011 that presented the *Measuring Significant Discrepancy: An Indicator B4 Technical Assistance Guide*.

The NHDOE also reviewed several state models of Indicator B4 Self-Assessment Checklists and Comprehensive Review Manuals provided by OSEP and the National Association of State Directors of Special Education (NASDSE). This review supported the NHDOE in the development of the New Hampshire Department of Education Indicator 4 Self-Assessment Checklist and the New Hampshire Department of Education Indicator 4 Comprehension Review Manual to provide targeted technical guidance to districts during the NHDOE onsite reviews of district policies, procedures or practices regarding significant discrepancy and requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.

Monitoring Priority: FAPE in the LRE

Indicator 4A: Rates of suspension and expulsion:

Percent of districts that have a significant discrepancy in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs.

(20 U.S.C. 1416(a)(3)(A); 1412(a)(22))

Measurement:

Percent = [(# of districts that have a significant discrepancy in the rates of suspensions and expulsions for greater than 10 days in a school year of children with IEPs) divided by the (# of districts in the State)] times 100.

Include State’s definition of “significant discrepancy.”

Overview of FFY Data:

FFY 2009 SPR – Baseline Year: 2.87%

FFY 2010 APR - First Year of data: 3.45%

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Overview of Issue/Description of System or Process:

Data for this indicator are from *Table 5 of Information Collection 1820-0621 (Report of Children with Disabilities Subject to Disciplinary Removal for the school year — 2009-2010 due, November 1, 2010)*. These data were submitted by districts via NHSEIS, the State database. The NHDOE verified the reliability and accuracy of the data through automated verification checks built into NHSEIS. The NHDOE is aware that sampling was not allowed from the State's 618 data.

Definition of Significant Discrepancy

The NHDOE defines a "significant discrepancy" as any district with a rate of suspensions and expulsions greater than 10 days in a school year for children with IEPs that is greater than 3% of students with IEPs enrolled in the district.

For any district where greater than 3% students with IEPs were suspended or expelled for greater than 10 days in a school year, the NHDOE removed from the calculation any districts that did not meet the following minimum "n" size requirements:

- A minimum of 11 children with IEPs in the district, consistent with the state assessment, NECAP.
- At least 4 students with IEPs suspended or expelled for greater than 10 days

Identification of Comparison Methodology

Discrepancies were computed by comparing the rates of suspensions and expulsions for children with IEPs among LEAs within the state. The results of the NHDOE examination of the data are for the year before the reporting year (e.g. for the FFY 2010 APR, data are from 2009-2010), including data disaggregated to determine if significant discrepancies occurred in the rates of long-term suspensions and expulsions of children with IEPs. If the NHDOE determined that there were significant discrepancies in the suspension and expulsion occurring, the NHDOE reviewed, and if appropriate, revised (or required the district to revise) its policies, practices, and procedures relating to the development and implementation of IEPs, the use of behavioral interventions, and procedural safeguards to ensure that the policies, procedures and practices comply with Part B.

Actual Target Data for FFY 2010 (using 2009-2010 data)

FFY	Measurable and Rigorous Target
FFY 2010 (using 2009-2010 data)	2.87%

FFY	Actual Data for FFY 2010 APR
FFY 2010 (using 2009-2010 data)	3.45%

Describe the results of the State examination of the data.

- A. Percent of districts identified by the State as having a significant discrepancy in the rates of suspensions and expulsions of greater than 10 days in a school year.

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Percent = [(# of districts identified by the State as having significant discrepancies in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year) divided by the (# of districts in the State)] times 100.

$$3.45\% = [(6/174)*100]$$

Of the 174 school districts in NH 2009-2010, 6 or 3.45% meet the definition of “significant discrepancy” in the rates of suspension and expulsion for greater than 10 days in a school year.

There are three steps in this process: 1) identify districts with greater than 3% suspension/expulsion of students with IEPs for more than 10 days in a school year; 2) from that group of districts, remove the districts from the calculation if there were fewer than 11 students with IEPs in the district; 3) remove from the remaining districts any districts with fewer than 4 students with IEPs suspended or expelled for more than 10 days in the school year.

- The NHDOE determined that there were 10 districts that had greater than 3% suspension/expulsion of students with IEPs for more than 10 days in a school year.
- There were 0 of the 10 districts that had fewer than 11 students with IEPs, leaving 10 districts for consideration.
- Of the 10 districts remaining, there were 4 districts had fewer than 4 students with IEPs suspended or expelled for more than 10 days in the school year, leaving 6 districts that met the definition of significant discrepancy, for both the threshold and minimum “n” size.
- In total, the NHDOE removed 4 districts from the numerator of 10 districts based on the minimum “n” size.
There were 6 districts that were determined to meet the definition of significant discrepancies in the rates of suspension and expulsions of greater than 10 days in a school year for children with IEPs.

The NHDOE chose to use the total number of districts as the denominator for this indicator.

Districts with Significant Discrepancy in Rates for Suspension and Expulsion

Year	Total Number of Districts*	Number of Districts that have Significant Discrepancies	Percent
FFY 2010 (using 2009-2010 data)	174	6	3.45%

Review of Policies, Procedures, and Practices (completed in FFY 2010 using 2009-2010 data): If any Districts are identified with significant discrepancies:

For each of the 6 districts that the NHDOE identified as having a significant discrepancy in the rates of suspensions and expulsions of greater than 10 days in a school year for children with IEPs, the NHDOE reviewed and, when appropriate, revised (or required the affected district to revise) the district's policies, procedures and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards to ensure that these policies, procedures, and practices comply with IDEA. The NHDOE conducted the review required by 34 CFR §300.170(b) by permitting the districts to provide data and information to the NHDOE through a self-assessment. The district's self-assessment specifically covered a review of policies, procedures and practices relating to the development and implementation of IEPs, the use of positive behavioral

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interventions and supports, and procedural safeguards. For any district that had significant discrepancies in both 4A and 4B, the NHDOE conducted an onsite visit to review the district's policies, procedures and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards to ensure that these policies, procedures, and practices comply with IDEA.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred in FFY 2010:

Note: The NHDOE reports improvement activities as completed or not completed based on the expectations for the activity for the reporting period. Even though an activity may be reported as completed for the reporting period, the activity may be ongoing and continue in the next year.

NH SPP Improvement Activity 1: Completed

During the 2010-2011 school year, the NHDOE received technical assistance from the Office of Special Education Programs (OSEP) that included specific guidance regarding Indicator B4. The NHDOE incorporated information when writing this indicator received at the 2011 OSEP Leadership Mega Conference Session 116 *Introduction to the B4 Technical Assistance Guide for Suspensions and Expulsions and a Peek at the National Findings*. The NHDOE also included information offered in the follow-up webinars conducted by OSEP during the Fall 2011 that presented the *Measuring Significant Discrepancy: An Indicator B4 Technical Assistance Guide*. The NHDOE also reviewed several state models of Indicator B4 Self-Assessment Checklists and Comprehensive Review Manuals provided by OSEP and the National Association of State Directors of Special Education (NASDSE). The results of this targeted technical assistance from OSEP and DAC also supported the NHDOE in the development of *The New Hampshire Department of Education Indicator 4 Self-Assessment Checklist* and *The New Hampshire Department of Education Indicator 4 Comprehensive Review Manual*. The NHDOE used *The New Hampshire Department of Education Indicator 4 Self-Assessment Checklist* during conference calls to districts to help them prepare for the NHDOE onsite reviews of district policies, procedures or practices regarding significant discrepancy and requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards. The NHDOE is in the final stages of developing professional development targeted technical assistance through webinars and other professional development activities based on *the New Hampshire Department of Education Indicator 4 Comprehensive Review Manual*; *the New Hampshire Department of Education Indicator 4 Self-Assessment Checklist*; and *the Measuring Significant Discrepancy: An Indicator B4 Technical Assistance Guide*. The NHDOE is developing a series of various activities that range from general information and awareness trainings regarding the indicator to specific opportunities where districts share their accomplishments with their peers. The intent of this targeted assistance is to support districts with understanding how policies, practices and procedures on suspension/expulsion rates, the use of positive behavior interventions and supports and procedural safeguards can reduce the suspension and expulsion rates for children with IEPs. The NHDOE anticipates that during the FFY 2011 year districts will participate in ongoing trainings for the NHDOE to improve outcomes for students with disabilities.

NH SPP Improvement Activity 2: Completed

The NHDOE provided feedback to DAC to support the development of the *Measuring Significant Discrepancy: An Indicator B4 Technical Assistance Guide*. The NHDOE specifically identified the need to provide specific examples for States to work with smaller districts that do not meet the minimum "n" size. The NHDOE will use the information from the guide, particularly regarding Chapter 6 Small Cell Sizes to support smaller districts in the measurement of including informal reviews with the district of policies, practices and procedures, the use of positive behavior interventions and supports and procedural safeguards to reduce suspension and expulsion rates for children with IEPs.

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NH SPP Improvement Activity 3: Completed

The NHDOE researched and made information available to districts regarding effective behavioral supports and interventions. The NHDOE under our federally funded State Personnel Development Grant - NH RESPONDS has provided ongoing Positive Behavior Intervention and Supports (PBIS) training and technical assistance under a Response to Intervention framework for literacy and behavior to 13 schools (includes Early Childhood Education programs, Elementary Schools and 2 high schools) in our 5 SAU Demonstration Sites located throughout the state during 2010-2011. In addition, under the NH RESPONDS grant we provided annual statewide 2 part RTI training for literacy and behavior in the spring to school teams. In the Spring of 2011, we focused on Tier 3 training to these 28 school teams from across the state. In addition, the NH RESPONDS staff are members of the NH State RTI Professional Learning Community in an effort to collaborate and incorporate our NH RESPONDS work on RTI for literacy and PBIS into the NH state RTI framework.

NH SPP Improvement Activity 4: Completed

The NHDOE provided technical assistance available on request to districts to support the use of positive behavioral interventions for students with disabilities as part of the work under our federally funded State Personnel Development Grant- NH RESPONDS.

NH SPP Improvement Activity Cluster: Completed

Improvement Activities listed in Indicator 1, 2, 3, 5, 8, 9, 10, and 13, are also relevant to improvement for this indicator.

Explanation of Progress and Slippage

The NHDOE did not meet the target for FFY 2010 for this indicator.

State Actual: 3.45%

Target: 2.87%

FFY 2010 was the first year of data based on the change in the definition for significant discrepancy developed in FFY 2009.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011 (if applicable):

There were no revisions to the SPP for this indicator.

Overview of the Annual Performance Report Development:

The development of the NH Part B State Annual Performance Report (APR) for FFY 2010 is described in the Overview section of the APR. The NHDOE has elected to use the OSEP Optional template for this Indicator.

Technical Assistance

The NHDOE worked with NERRC and the Data Accountability Center (DAC) in the continued development of this indicator. Technical assistance included specific guidance regarding the definition of suspensions and expulsions, our procedures for data analysis and identification of LEAs with significant discrepancy in the rates of suspensions and expulsions of greater than 10 days in a school year for children with IEPs, and the creation of documents to provide targeted technical assistance and guidance to school districts reading this indicator.

The NHDOE received additional technical assistance from the Office of Special Education Programs (OSEP) that included specific guidance regarding Indicator B4. The NHDOE attended the 2011 OSEP Leadership Mega Conference Session: “*Introduction to the B4 Technical Assistance Guide for Suspensions and Expulsions and a Peek at the National Finding*”. The NHDOE participated in the follow-up webinars conducted by OSEP during the Fall 2011 that presented the *Measuring Significant Discrepancy: An Indicator B4 Technical Assistance Guide*.

The NHDOE also reviewed several state models of Indicator B4 Self - Assessment Checklists and Comprehensive Review Manuals provided by OSEP and the National Association of State Directors of Special Education (NASDSE). This review supported the NHDOE in the development of the New Hampshire Department of Education Indicator 4 Self-Assessment Checklist and the New Hampshire Department of Education Indicator 4 Comprehension Review Manual to provide targeted technical guidance to districts during the NHDOE onsite reviews of district policies, procedures or practices regarding significant discrepancy and requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.

Monitoring Priority: FAPE in the LRE

Indicator 4B: Rates of suspension and expulsion:

Percent of districts that have: (a) a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.

(20 U.S.C. 1416(a)(3)(A); 1412(a)(22))

Measurement:

Percent = [(# of districts that have: (a) a significant discrepancy, by race or ethnicity, in the rates of suspensions and expulsions of greater than 10 days in a school year of children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards) divided by the (# of districts in the State)] times 100.

Overview of FFY Data:

FFY 2009 SPR-Baseline Year: 0%

FFY 2010 First Year of data: 0%

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Overview of Issue/Description of System or Process:

Data for this indicator are from *Table 5 of Information Collection 1820-0621 (Report of Children with Disabilities Subject to Disciplinary Removal for the school year — 2009-2010 due, November 1, 2010)*. These data were submitted by districts via NHSEIS, the State database. The NHDOE verified the reliability and accuracy of the data through automated verification checks built into NHSEIS. The NHDOE has not included sampling from New Hampshire's 618 data.

Definition of Significant Discrepancy

The NHDOE compares suspension and expulsion rates for children with IEPs among school districts and defines a "significant discrepancy" as any district with a rate of suspensions and expulsions greater than 10 days in a school year for children with IEPs that is greater than 3% of students with IEPs enrolled in the district. NHDOE determined that 3% was a significant discrepancy based on a review of statewide data.

For any district that had greater than 3% students with IEPs suspended or expelled for greater than 10 days in a school year, the NHDOE removed from the calculation any districts that did not meet the following minimum "n" size requirements:

- A minimum of 11 children with IEPs in the district, consistent with the state assessment, NECAP; and
- At least 4 students with IEPs suspended or expelled for greater than 10 days.

Identification of Comparison Methodology

Discrepancies were computed by comparing the rates of suspensions and expulsions for children with IEPs among LEAs within the state. The results of the NHDOE examination of the data are for the year before the reporting year (e.g. for the FFY 2010 APR, data are from 2009-2010), including data disaggregated to determine if significant discrepancies occurred in the rates of long-term suspensions and expulsions of children with IEPs.

If the NHDOE determined that there were significant discrepancies in the suspension and expulsion occurring, the NHDOE reviewed, and if appropriate, revised (or required the district to revise) its policies, practices, and procedures relating to the development and implementation of IEPs, the use of behavioral interventions, and procedural safeguards to ensure that the policies, procedures and practices comply with Part B.

Actual Target Data for FFY 2010 (using 2009-2010 data)

FFY	Measurable and Rigorous Target
FFY 2010 (using 2009-2010 data)	0%

Actual Target Data for FFY 2010 (using 2009-2010 data)

FFY	Actual Target Data for FFY 2010 APR
FFY 2010 (using 2009-2010 data)	0%

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Describe the results of the State examination of the data.

Percent of districts that have: a) a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.

Percent=[(# of districts that have: (a) a significant discrepancy, by race or ethnicity, in the rates of suspensions and expulsions of greater than 10 days in a school year of children with IEPs): and (b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards) divided by the (# of districts in the State)] times 100.

$$0\% = [(0/174)]*100$$

Of the 174 school districts in NH in 2009-2010, there were 0 or 0% that (a) met the definition of "significant discrepancy" in the rates of suspension and expulsion for greater than 10 days in a school year and (b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.

There are three steps in this process: 1) identify districts with greater than 3% suspension/expulsion of students with IEPs for more than 10 days in a school year; 2) from that group of districts, remove the districts from the calculation if there were fewer than 11 students with IEPs in the district; 3) remove from the remaining districts any districts with fewer than 4 students with IEPs suspended or expelled for more than 10 days in the school year.

- The NHDOE determined that there were 16 districts that had greater than 3% suspension/expulsion of students with IEPs for more than 10 days in a school year.
- There were 2 of the 16 districts that had fewer than 11 students with IEPs, leaving 14 districts for consideration.
- Of the 14 districts remaining, there were 9 districts had fewer than 4 students with IEPs suspended or expelled for more than 10 days in the school year, leaving 5 districts that met the definition of significant discrepancy, for both the threshold and minimum "n" size.
- In total, the NHDOE removed 11 districts from the numerator of 16 districts based on the minimum "n" size.
- There were 5 districts that were determined to meet the definition of significant discrepancies by race or ethnicity in the rates of suspension and expulsions of greater than 10 days in a school year for children with IEPs.
- Of the 5 districts, 0 were determined to have policies, procedures or practices that contribute to the significant discrepancy and did not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.

The NHDOE chose to keep the total number of districts in the denominator.

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4B(a). LEAs with Significant Discrepancy, by Race or Ethnicity*, in Rates of Suspension and Expulsion:

Year	Total Number of LEAs**	Number of LEAs that have Significant Discrepancies by Race or Ethnicity	Percent**
FFY 2010 (using 2009-2010 data)	174	5	2.87%

4B(b). Districts with Significant Discrepancy, by Race or Ethnicity, in Rates of Suspensions and Expulsions; and policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.

Year	Total Number of Districts*	Number of Districts that have Significant Discrepancies, by Race or Ethnicity, and policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.	Percent**
FFY 2010 (using 2009-2010 data)	174	0	0.00%

Review of Policies, Procedures, and Practices (completed in FFY 2010 using 2009-2010 data):

For each of the 5 districts that had significant discrepancies, by race or ethnicity, in the rates of suspensions and expulsions, the NHDOE conducted an onsite visit to review the district's policies, procedures and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards to ensure that these policies, procedures, and practices comply with IDEA. The NHDOE conducted the review required by 34 CFR §300.170(b) by permitting the districts to provide data and information to the NHDOE during the onsite visit based on the *New Hampshire Department of Education Indicator 4 Self-Assessment Checklist*. These onsite reviews occurred prior to the February 1, 2012 submission of the APR.

Based on these reviews, the NHDOE was able to determine by February 1, 2012 that 4 of the 5 districts did not have noncompliance with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards. The review of the 5th district was inconclusive. The NHDOE reached out to NERRC for technical assistance on how to proceed. Based on that feedback, it was determined that an additional review was required as the students that had significant discrepancies, by race or ethnicity, in the rates of suspensions and expulsions were in out-of-district placements. Therefore the files that needed to be reviewed and key personnel that needed to be interviewed were other locations and an additional review was required. Based on this additional review, conducted after February 1, 2012, the NHDOE was able to determine that the district did not have noncompliance with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards. The NHDOE recalculated its data for Indicator 4B to reflect 0% based on these results for the April clarification.

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The NHDOE identified of the 5 districts, 0 districts had policies, procedures or practices that contributed to the significant discrepancy relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred in FFY 2010:

Note: The NHDOE reports improvement activities as completed or not completed based on the expectations for the activity for the reporting period. Even though an activity may be reported as completed for the reporting period, the activity may be ongoing and continue in the next year.

FFY 2010 Improvement Activities for B-4B are included in the FFY 2011 Discussion of Improvement Activities section for B-4A.

Explanation of Progress and Slippage

The NHDOE met the target for FFY 2010 for this indicator.

State Actual: 0% Target: 0%

Additional information required by OSEP APR Response Table for this indicator:

Statement from Response Table	State's Response
OSEP will be carefully reviewing each state's methodology for identifying "significant discrepancy" and will contact the State if there are any questions or concerns.	The NHDOE was not contacted by OSEP regarding any questions or concerns for Indicator 4B.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011 (if applicable):

There were no revisions to the SPP for this indicator.

Overview of the Annual Performance Report Development:

The development of the NH Part B State Annual Performance Report (APR) for FFY 2010 is described in the Overview section of the APR.

Stakeholder Input

The NHDOE, Bureau of Special Education, hosts a quarterly meeting with stakeholders to review the NH Special Education Information System (NHSEIS). A major focus of this group has been on Indicator 5 and FAPE in the LRE, specifically regarding the data used for this indicator. As a result, there has been an increase in the consistency of language regarding LRE, better understanding regarding IEP team decisions regarding placement, and improved quality of data entry at the local level.

Technical Assistance

The NHDOE worked with DAC and NERRC to support districts with accurate data entry into NHSEIS regarding placement and services. The NHDOE used the 12/1/09 data to establish a new baseline and to generate new targets in the SPP submitted in February 2011. For more on this, refer to the State Performance Plan.

Monitoring Priority: FAPE in the LRE

Indicator 5: Percent of children with IEPs aged 6 through 21 served:

- A. Inside the regular class 80% or more of the day;
- B. Inside the regular class less than 40% of the day; and
- C. In separate schools, residential facilities, or homebound/hospital placements.

(20 U.S.C. 1416(a)(3)(A))

Measurement:

- A. Percent = [(# of children with IEPs served inside the regular class 80% or more of the day) divided by (the total # of students aged 6 through 21 with IEPs)] times 100.
- B. Percent = [(# of children with IEPs served inside the regular class less than 40% of the day) divided by (the total # of students aged 6 through 21 with IEPs)] times 100.
- C. Percent = [(# of children with IEPs served in separate schools, residential facilities, or homebound/ hospital placements) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.

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Overview of FFY Data	A. Inside the regular class 80% or more of the day		B. Inside the regular class less than 40% of the day		C. Served in public or private separate schools, residential placements, homebound or hospital placements.	
	Actual Data	Target	Actual Data	Target	Actual Data	Target
FFY 2009 APR- Baseline	48.71%		19.18%		2.82%	
FFY 2010 APR First year of Data	72.62%	49%	8.56%	18%	2.67%	2.82%

Actual Target Data for FFY 2009 (reporting period July 1, 2009 – June 30, 2010):

Calculation

- A. Percent = [(# of children with IEPs served inside the regular class 80% or more of the day) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.
72.62% = [(19,451) / (26,785)] times 100.
- B. Percent = [(# of children with IEPs served inside the regular class less than 40% of the day) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.
8.56% = [(2,293) / (26,785)] times 100.
- C. Percent = [(# of children with IEPs served in separate schools, residential facilities, or homebound/hospital placements) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.
2.67 % = [(716 / (26,785)] times 100.

Explanation of Calculation

Data reported in the federal Annual IDEA Data Report, *Table 1 Report of Children with Disabilities receiving Special Education under Part B of the Individuals with Disabilities Education Act* and *Table 3 Part Individuals with Disabilities Education Act Implementation of FAPE Requirements* were used for this indicator. The NHDOE based the numbers for the calculation of this indicator on the data entered by districts into the special education statewide data system (NHSEIS): 26,785 children with IEPs ages 6-21 with data points in NHSEIS on 10/1/2010. As in the past, the NHDOE has not included the non-duplicated counts for youth in correctional facilities and children parentally placed in private schools in the reported data for this indicator.

These figures reflect data resubmitted through EDEN by the NHDOE for Table 3 for October 1, 2010. The NHDOE discovered, upon further data analysis for the APR, that the calculation for Table 3 did not include time when the student was removed from the regular class for related services.

The NHDOE used a number of district entered data points from NHSEIS to calculate the amount of time a student was in the regular class (part A. and part B. of the measurement). The data points include: the type of service, the setting in which the service was to be provided, the length of time for the service and length of the school day for the student. The NHDOE calculated the amount of time the child was inside the regular class by taking the length of the school day less the time the child was in a special education setting. In other words, if the length of the school day for a child was 6 hours and the child had 1 hour of services in a special education setting, the child was considered to be in the regular class for 5 hours a

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day or 83.33% of the time. The NHDOE included students enrolled in public academies and joint management agreement (JMA) schools in the same manner as students enrolled in public schools.

The NHDOE data analysis to determine the amount of time the child was in special education settings did not include time when a child was receiving transportation, in a regular education class, or overlapping services. When the NHDOE calculated the data, if the length of school day for the child did not correspond with the total hours of services identified in the IEP, the NHDOE used the length of school day for the school the child was attending. The length of school day for the school was entered by the district in the reference site in NHSEIS.

For part C. of the measurement, the NHDOE included all children with IEPs served in a separate school, residential facility or homebound/hospital placements.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010:

Note: The NHDOE reports improvement activities as completed or not completed based on the expectations for the activity for the reporting period. Even though an activity may be reported as completed for the reporting period, the activity may be ongoing and continue in the next year.

NH SPP Improvement Activity 1: The NHDOE continued to monitor and provide oversight of policies, practices and procedures of districts and nonpublic special education programs to ensure young children with IEPs have access to free appropriate public education in the least restrictive environment. Findings of noncompliance related to this indicator were identified and verified as corrected as soon as possible but no more than one year from identification.

NH SPP Improvement Activity 2: Completed

In the spring of 2011, the National Accessible Instructional Materials (AIM) Center awarded New Hampshire a multi-year opportunity for targeted technical assistance regarding the IDEA 2004 requirement that state and local education agencies ensure the provision of accessible instructional materials in a timely manner to students with print disabilities who require them. The National AIM Center representatives met with a team of stakeholders including schools, organizations and parents to begin the design of the NH AIM Quality Indicators. These indicators describe the critical attributes of a comprehensive set of mechanisms, supports, guidelines, policies, and practices that are aligned across agencies to address this requirement. These quality indicators will allow New Hampshire to analyze the current status and support planning for growth at all organizational levels. The quality indicators will determine how New Hampshire will provide supports in the provision of appropriate, high-quality instructional materials in specialized formats to all students with print disabilities who require them; support the provision of appropriate specialized formats in a timely manner; provide learning opportunities and technical assistance to facilitate the identification of students with print disabilities, as well as the selection, acquisition, and use of appropriate specialized formats; develop a systematic process to monitor and evaluate the equitable, timely provision of appropriate, high-quality materials in specialized formats; and evaluate the system by using data to guide changes that support continuous improvement in the selection, acquisition, and use of accessible instructional materials and allocates resources sufficient to ensure the delivery and sustainability of quality services to students with print disabilities. The goal of the targeted technical assistance is to have completed the NH AIM Quality Indicators by April 2012 and begin the implementation of the indicators through trainings and technical assistance to schools and families. The outcome of the project is to develop the NH AIM Quality Indicators that support timely provision of accessible instructional materials to students who need them for educational participation and achievement, a student-centered decision-making process, an overview of specialized formats, a review of multiple sources from which to acquire specialized formats, and an overview of which students can receive materials from each source, including technology and other supports for using accessible instructional materials. A section about *AIM to Start Early: Implementing Accessible Materials with Young Children* will be included in the NH AIM Quality Indicators. The early learning section will focus on a systematic instructional framework for implementing access to instructional materials using 21st century tools in developmentally appropriate practices with young children that include strategies through

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reflective inquiry and practice that include supports, tools, technologies and instruction needed for effective collaboration to support students with print disabilities in their early years.

NH SPP Improvement Activity 3: Completed

During the 2010-2011 school year the NHDOE contracted with the Northeast Deaf and Hard of Hearing Services to design and coordinate a New Hampshire Deaf Education Initiative Project. The New Hampshire Deaf and Hard of Hearing Education Initiative Project provides information to families, educators and the community to educate, support and improve the education outcomes for deaf and hard of hearing children.

One outcome for this initiative project is to develop the New Hampshire Deaf Education Initiative Educational Services Guidelines to provide technical assistance and training to local and state education administrators with information about federal statutes, policy guidance, and promising practices from the field of deaf education and to coordinate resources and information to schools and families for students who are deaf or hard of hearing. The project director coordinated with representatives of the National Association of State Directors of Special Education to provide resources and information included in the *Meeting the Needs of Students who are Deaf or Hard of Hearing: Educational Service Guidelines* to engage stakeholders in the development of the New Hampshire Deaf Education Initiative Educational Services Guidelines. The goal of this project is the completion of the *New Hampshire Deaf Education Initiative Educational Services Guidelines* by May 2012 to begin the implementation of the Guidelines through statewide and regional trainings to school and families for the 2012-2013 school year. Information regarding this initiative can be found on the <http://www.nhdeafhhd.org/>.

NH SPP Improvement Activity 4:

The NHDOE, Bureau of Special Education re-issued an RFP under the title *Supporting At-Risk Children and Youth with Disabilities through Evidence-Based Problem Solving Frameworks Statewide Technical Assistance* in the late summer of 2009. The successful bidder was awarded a two-year contract for \$750,000 in the winter of the early months of 2010, with a renewal option for two additional years. The successful bidder was the University of New Hampshire's *Institute on Disability* (IOD), with a proposal titled *Achievement for Dropout Prevention and Excellence III* (APEX III). APEX III focuses on reducing NH's high school dropout rate for students with disabilities, while increasing the graduation rate of students with disabilities, as well using flexible approaches to help youth with IEPs who have already dropped out of high schools re-enter to complete their secondary education. APEX III is providing direct services, training, and technical assistance to six high schools in the state that had higher-than-state-average dropout rates and high rates of disciplinary problems among youth with IEPs during the baseline year, and developing and providing high quality training for middle and high schools throughout the state.

NH SPP Improvement Activity Cluster:

Improvement activities related to this indicator are also found in Indicators 1, 2, 3, 8, 9, 10, and 13.

Explanation of Progress or Slippage

IEP teams identified the special education and related services to be provided for a child and then determined the setting(s) in which these services would be provided. This information was entered into NHSEIS by districts and then used by the NHDOE to calculate this indicator. These are the same data reported in the federal Annual IDEA Data Report, *Table 1 Report of Children with Disabilities receiving Special Education under Part B of the Individuals with Disabilities Education Act* and *Table 3 Part B Individuals with Disabilities Education Act Implementation of FAPE Requirements*. The NHDOE conducted NHSEIS forums to help districts better understand how the IEP team makes decisions about LRE as well as how to enter data into NHSEIS to reflect actual placements where services are provided, resulting in significant improvement in this indicator. The NHDOE led discussions with local districts to explore the misconception at the district level that special education services should be reported in the special education class, even when those services occurred in the regular education setting. Based on

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these discussions, local special education directors have worked with staff to understand where services actually are provided and to ensure that data are reported in NHSEIS.

An increased number of students in NH have been educated in the public school setting, and indeed in the regular classroom in FFY 2010. This is confirmed by the consistent trend data for part C of the measurement, which is not affected by the district reporting for amount of time in the regular class. The NHDOE continued to work with the vendor for NHSEIS as well as with DAC, NERRC and local districts to identify the challenges and to develop solutions. This work will continue for the next year.

5A. The NHDOE exceeded the target for 2010-2011 for part A of the measurement for this Indicator.

State Actual Data: 72.62% Target: 49%

There has been progress of 23.91 percentage points of NH children with IEPs served inside the regular class more than 80% of the day from 48.71% in FFY 2009 to 72.62% in FFY 2010.

5B. The NHDOE exceeded the target for 2010-2011 for part B of the measurement for this Indicator.

State Actual Data: 8.56% Target: 18%

Compared to FFY 2009 (19.18%), there was a decrease of 10.62 percentage points of children with IEPs served inside the regular class less than 40% of the day, with no increase in students being placed in a more restrictive setting, thus demonstrating progress with this measure.

5C. The NHDOE exceeded the target for 2010-2011 for part C of the measurement for this Indicator.

State Actual Data: 2.67% Target: 2.82%

NH demonstrated progress with this measurement of 0.15 percentage points from FFY 2009 (2.82%). Overall, a smaller percentage of children with IEPs are being placed in these more restrictive settings since the baseline was established in FFY 2009.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011:

There were no revisions to the SPP for this indicator.

Overview of the Annual Performance Report Development:

The development of the NH Part B State Annual Performance Report (APR) for FFY 2010 is described in the Overview section of the APR.

Monitoring Priority: FAPE in the LRE

Indicator 6: Percent of children aged 3 through 5 with IEPs attending a:

- A. Regular early childhood program and receiving the majority of special education and related services in the regular early childhood program; and
- B. Separate special education class, separate school or residential facility.

(20 U.S.C. 1416(a)(3)(A))

Measurement:

- A. Percent = $\left[\frac{\text{(\# of children aged 3 through 5 with IEPs attending a regular early childhood program and receiving the majority of special education and related services in the regular early childhood program)}}{\text{(total \# of children aged 3 through 5 with IEPs)}} \right] \times 100$.
- B. Percent = $\left[\frac{\text{(\# of children aged 3 through 5 with IEPs attending a separate special education class, separate school or residential facility)}}{\text{(total \# of children aged 3 through 5 with IEPs)}} \right] \times 100$.

Pursuant to OSEP Part B State Performance Plan (SPP) and Annual Performance Report (APR) Part B Indicator Measurement Table, in the FFY 2011 submission due February 1, 2013, States must establish a new baseline, targets, and as needed, improvement activities using the 2011-2012 data. States are not required to report on this indicator in this APR.

Overview of the Annual Performance Report Development:

The development of the NH Part B State Annual Performance Report (APR) for FFY 2010 is described in the Overview section of the APR. The NHDOE utilized the *ECO Suggested Format for APR Indicator B7, Due February 2012* in the development of this indicator.

Stakeholder Input

The NHDOE sought input from New Hampshire Special Education Preschool providers, New Hampshire Special Education Directors, PTAN Regional groups, the New Hampshire Parent Information Center (NH's PTI), representatives from the three Preschool Outcomes Measurement System publishers – (Brookes Publishing – AEPSi; Curriculum Associates – Brigance; and Teaching Strategies – Creative Curriculum/TS GOLD) in the development of this indicator. An Advisory Group formed through PTAN provided ongoing input to the NH Preschool Outcome Measurement System met during FFY 2010 to review and provide input on several areas of importance to Preschool Outcomes Measurement.

In August 2011, the NHDOE hosted Roundtable discussions with the three publishers: Brookes Publishing – AEPSi; Curriculum Associates – Brigance; and Teaching Strategies – GOLD; PTAN Facilitators; Lynne Kahn of ECO; and field users of each tool. The purpose of these Roundtables was to share information between the publishers and field users regarding the use of each tool. Brookes Publishing and Teaching Strategies have made numerous advancements in both data entry and assessments result utilization for program improvement. Curriculum Associates continues to be challenging for users and also the portability of the tool remains in question as well as the usefulness of the data being retrieved. The NHDOE is looking closely at the feasibility of continuing with the Curriculum Associates Brigance IED II for the future of POMS.

Technical Assistance

The NHDOE has continued to benefit from support from: the Office of Special Education Programs (OSEP); the National Early Childhood Technical Assistance Center (NECTAC); the Early Childhood Outcome Center (ECO); the North East Regional Resource Center (NERRC); and colleagues in other states. This support has assisted the NHDOE with the development and implementation of the outcome system described in this indicator, including: increased validity and reliability of data, more effective implementation of the outcome system, enhanced system for monitoring, and professional development to enhance local capacity. Technical assistance has included: phone, email and onsite support; resources (Power Points, FAQs, etc.) from OSEP and ECO; national conferences; meetings with Nebraska, Colorado, ECO and the publishers. A webinar, done by Lynne Kahn of NECTAC and the NHDOE, was held last year to explain the preliminary data and reporting requirements to NH stakeholders.

The NHDOE has participated in ECO conferences and teleconferences to support the development of the NH Preschool Outcome Measurement System as well as in the OSEP Mega Conference.

In June 2011, the NHDOE participated in a webinar by Lynne Kahn of ECO at UNC and Kathy Hebbeler of ECO at SRI International: *Updates on Child Outcomes for Early Childhood Special Education* regarding reporting requirements and national data.

Monitoring Priority: FAPE in the LRE

Indicator 7: Percent of preschool children aged 3 through 5 with IEPs who demonstrate improved:

- A. Positive social-emotional skills (including social relationships);
- B. Acquisition and use of knowledge and skills (including early language/ communication and early literacy); and
- C. Use of appropriate behaviors to meet their needs.
(20 U.S.C. 1416 (a)(3)(A))

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Measurement:

Outcomes:

- A. Positive social-emotional skills (including social relationships);
- B. Acquisition and use of knowledge and skills (including early language/communication and early literacy); and
- C. Use of appropriate behaviors to meet their needs.

Progress categories for A, B and C:

- a. Percent of preschool children who did not improve functioning = $\left[\frac{\text{(\# of preschool children who did not improve functioning)}}{\text{(\# of preschool children with IEPs assessed)}} \right] \text{ times } 100.$
- b. Percent of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers = $\left[\frac{\text{(\# of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers)}}{\text{(\# of preschool children with IEPs assessed)}} \right] \text{ times } 100.$
- c. Percent of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it = $\left[\frac{\text{(\# of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it)}}{\text{(\# of preschool children with IEPs assessed)}} \right] \text{ times } 100.$
- d. Percent of preschool children who improved functioning to reach a level comparable to same-aged peers = $\left[\frac{\text{(\# of preschool children who improved functioning to reach a level comparable to same-aged peers)}}{\text{(\# of preschool children with IEPs assessed)}} \right] \text{ times } 100.$
- e. Percent of preschool children who maintained functioning at a level comparable to same-aged peers = $\left[\frac{\text{(\# of preschool children who maintained functioning at a level comparable to same-aged peers)}}{\text{(\# of preschool children with IEPs assessed)}} \right] \text{ times } 100.$

Summary Statements for Each of the Three Outcomes (use for FFY 2008-2009 reporting):

Summary Statement 1: Of those preschool children who entered the preschool program below age expectations in each Outcome, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program.

Measurement for Summary Statement 1:

Percent = $\frac{\text{\# of preschool children reported in progress category (c) plus \# of preschool children reported in category (d)}}{\text{\# of preschool children reported in progress category (a) plus \# of preschool children reported in progress category (b) plus \# of preschool children reported in progress category (c) plus \# of preschool children reported in progress category (d)}} \text{ times } 100.$

Summary Statement 2: The percent of preschool children who were functioning within age expectations in each Outcome by the time they turned 6 years of age or exited the program.

Measurement for Summary Statement 2: Percent = $\frac{\text{\# of preschool children reported in progress category (d) plus \# of preschool children reported in progress category (e)}}{\text{total \# of preschool children reported in progress categories (a) + (b) + (c) + (d) + (e)}} \text{ times } 100.$

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Target Data and Actual Target Data for FFY 2010 (2010-2011)
Targets and Actual Data for Preschool Children Exiting in FFY 2010 (2010-2011)

Summary Statements	Actual FFY 2009 (% and # children)	Actual FFY 2010 (% and # children)	Target FFY 2010 (% of children)
Outcome A: Positive social-emotional skills (including social relationships)			
1. Of those children who entered or exited the program below age expectations in Outcome A, the percent who substantially increased their rate of growth by the time they exited the program. Formula: $c+d/a+b+c+d$	66.3% (n= 457)	69.6% (n= 665)	66.3%
2. The percent of children who were functioning within age expectations in Outcome A by the time they exited the program. Formula: $d+e/a+b+c+d+e$	71.3% (n= 975)	68.4% (n= 1070)	71.3%
Outcome B: Acquisition and use of knowledge and skills (including early language/communication and early literacy)			
1 Of those children who entered or exited the program below age expectations in Outcome B, the percent who substantially increased their rate of growth by the time they exited the program. Formula: $c+d/a+b+c+d$	67.1% (n= 656)	73% (n= 911)	67.1%
2. The percent of children who were functioning within age expectations in Outcome B by the time they exited the program. Formula: $d+e/a+b+c+d+e$	53.4% (n= 975)	50.7% (n= 1070)	53.4%
Outcome C: Use of appropriate behaviors to meet their needs			
1 Of those children who entered or exited the program below age expectations in Outcome C, the percent who substantially increased their rate of growth by the time they exited the program. Formula: $c+d/a+b+c+d$	68.5% (n= 603)	68% (n= 843)	68.5%
2. The percent of children who were functioning within age expectations in Outcome C by the time they exited the program. Formula: $d+e/a+b+c+d+e$	63.1% (n= 975)	55.2% (n= 1070)	63.1%

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Progress Data for Preschool Children FFY 2010

A. Positive social-emotional skills (including social relationships):	Number of children	% of children
a. Percent of children who did not improve functioning	20	1.9%
b. Percent of children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	182	17%
c. Percent of children who improved functioning to a level nearer to same-aged peers but did not reach	136	12.7%
d. Percent of children who improved functioning to reach a level comparable to same-aged peers	327	30.6%
e. Percent of children who maintained functioning at a level comparable to same-aged peers	405	37.9%
Total	N= 1070	100%
B. Acquisition and use of knowledge and skills (including early language/communication and early literacy):	Number of children	% of children
a. Percent of children who did not improve functioning	23	2.1%
b. Percent of children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	223	20.8%
c. Percent of children who improved functioning to a level nearer to same-aged peers but did not reach	281	26.3%
d. Percent of children who improved functioning to reach a level comparable to same-aged peers	384	35.9%
e. Percent of children who maintained functioning at a level comparable to same-aged peers	159	14.9%
Total	N= 1070	100%
C. Use of appropriate behaviors to meet their needs:	Number of children	% of children
a. Percent of children who did not improve functioning	42	3.9%
b. Percent of children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	228	21.3%
c. Percent of children who improved functioning to a level nearer to same-aged peers but did not reach	209	19.5%
d. Percent of children who improved functioning to reach a level comparable to same-aged peers	364	34%
e. Percent of children who maintained functioning at a level comparable to same-aged peers	227	21.2%
Total	N= 1070	100%

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010:

Note: The NHDOE reports improvement activities as completed or not completed based on the expectations for the activity for the reporting period. Even though an activity may be reported as completed for the reporting period, the activity may be ongoing and continue in the next year.

NH SPP Improvement Activity 1: Completed

The NHDOE, working with the Preschool Outcome Measurement System Technical Assistance (POMS TA) and PTAN implemented a plan that provided intensive TA supports to those districts to support progress to meet the State targets. Ongoing intensive technical assistance was provided by the NHDOE through the POMS TA consultant in conjunction with PTAN via email, phone support, regional meetings and on-site visits to review and explain established State targets. Support and guidance was provided to districts to review program and service provisions for children to enable districts to meet State targets. The development of the *POMS Calculation and Explanation Guide* was provided to districts to assist in explaining the district performance in relation to the State targets for Indicator 7.

NH SPP Improvement Activity 2: Completed

POMS updates are posted on the PTAN web-site; mailed electronically to preschool special education administrators statewide; and discussed at regional clinical support meetings statewide.

NH SPP Improvement Activity 3: Completed

The NHDOE and the POMS TA consultant collaborated with PTAN to review and revise the *Preschool Outcome Measurement Toolkit*. A spreadsheet of each district's POMS tool was developed to assist districts in transferring data when children move from one district to another. *Tip Sheets for Data Entry* were reviewed and updated as necessary. Work on a *Tip Sheet for Teaching Strategies GOLD* is underway. *Troubleshooting Tips* were established for each tool in use by districts. All POMS-related documents were mailed electronically to preschool special education administrators statewide and posted on the PTAN website.

NH SPP Improvement Activity 4: Completed

PTAN and the POMS TA consultant responded to questions regarding the outcome measurement system with email, telephone consultation and/or onsite visits. In addition, the POMS TA consultant attended PTAN regional meetings to provide updated POMS information throughout the year. A *POMS Primer* was developed to assist districts in explaining the purpose, scope and sequence of the Preschool Outcome Measurement System to new users in the field and interested parties.

NH SPP Improvement Activity 5: Completed

PTAN project staff in collaboration with the 619 Coordinator and POMS TA Consultant assembled a POMS advisory committee consisting of preschool special education leaders committed to supporting the State's efforts to develop and improve the outcomes measurement system. The Advisory Committee was instrumental in reviewing and revising the POMS Toolkit and providing the NHDOE with feedback and recommendations regarding assessment tools.

NH SPP Improvement Activity 6: Completed

Each publisher – Brookes Publishing (AEPS); Curriculum Associates (Brigance); and Teaching Strategies (TS GOLD); provided ongoing technical support to users throughout the 2010-2011 school year either by telephone consultation or email. Each publisher has online tutorials with updated information for all users as well as basic information for new users to access as needed. In addition Teaching Strategies collaborated with PTAN and the POMS TA Consultant to provide a webinar introducing users to TS GOLD. Participants were able to ask questions and learn about the enhanced features of TS GOLD.

NH SPP Improvement Activity 7: Completed

The NHDOE Preschool Education Consultant through activities such as POMS Target Setting, POMS Advisory Committee meetings, collaboration with the POMS TA Consultant and PTAN project staff, and ongoing email and telephone contact with field users identified new areas of data entry as it applied to TS

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GOLD and the transition of data from Creative Curriculum to TS GOLD. In doing so, new *Tip Sheets for Data Entry* and *Running Progress Reports for TS GOLD* were developed and sent to users in the field. Ongoing work with the publishers of the other two tools (AEPSi) and (Brigance) keeps field users up to date with enhancements to the online systems.

Roundtable discussions are scheduled for August 2011 to enable stakeholders to meet with the three publishers, PTAN project staff, the POMS TA Consultant and the NHDOE Preschool Special Education Consultant.

NH SPP Improvement Activity 8: Completed

Three months prior to running the final Preschool Outcomes Measurement report for OSEP, the NHDOE ran a trial report from the online data systems. A comparison of that preliminary data was made to data provided by each district to the NHDOE in a brief survey earlier in the year. The survey data provided estimates from the districts regarding expected entry and exit data. Districts were notified electronically of the preliminary run, as well as being discussed at PTAN regional meetings. *Tip Sheets for Data Entry* for each publisher's tool were provided electronically to each user along with the notification. In addition, the documents *Steps for Running Progress Data Reports* and *Troubleshooting Tips*, for each publisher's tool were provided to users to proactively insure accurate data reporting. After the preliminary report run, feedback was provided to each district in the form of email, telephone contact or onsite visits; depending upon the level of support required to insure validity and accuracy of data.

At the conclusion of the final OSEP run, data was reviewed and compiled. Districts still in need of support were targeted for more intensive technical assistance in order to insure accuracy of the data being provided.

Explanation of Progress or Slippage: Discussion of Summary Statements and a-e Progress Data for FFY 2010

- **Compare last year's actual summary statement data to this year's actual summary statement data and discuss whether or not progress was made.**

Summary Statement 1	Actual FFY 2009 (% and # children)	Actual FFY 2010 (% and # children)	Progress
Outcome A – Social/Emotional Skills	66.3% (n=457)	69.6% (n=665)	Increase of 3.3 percentage points
Outcome B - Knowledge and Skills	67.1% (n=656)	73% (n=911)	Increase of 5.9 percentage points
Outcome C – Appropriate Behaviors	68.5% (n=603)	68% (n=843)	Decrease of 0.5 percentage points

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Summary Statement 2	Actual FFY 2009 (% and # children)	Actual FFY 2010 (% and # children)	Progress
Outcome A – Social/Emotional Skills	71.3% (n=975)	68.4% (n=1070)	Decrease of 2.9 percentage points
Outcome B - Knowledge and Skills	53.4% (n=975)	50.7% (n=1070)	Decrease of 2.7 percentage points
Outcome C – Appropriate Behaviors	63.1% (n=975)	55.2% (n=1070)	Decrease of 7.9 percentage points

- Compare this year's actual summary statement data to the summary statement targets and discuss whether or not targets were met.

Summary Statement 1	Actual FFY 2010 (% and # children)	Target FFY 2010 (% of children)	Target Met
Outcome A – Social/Emotional Skills	69.6% (n=665)	66.3%	Yes
Outcome B - Knowledge and Skills	73% (n=911)	67.1%	Yes
Outcome C – Appropriate Behaviors	68% (n=843)	68.5%	No

Summary Statement 2	Actual FFY 2010 (% and # children)	Target FFY 2010 (% of children)	Target Met
Outcome A – Social/Emotional Skills	68.4% (n=1070)	71.3%	No
Outcome B - Knowledge and Skills	50.7% (n=1070)	53.4%	No
Outcome C – Appropriate Behaviors	55.2% (n=1070)	63.1%	No

Summary Statement 1: Of those preschool children who entered the preschool program below age expectations in each Outcome, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program.

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The NHDOE met the targets for Summary Statement 1 for each of the three outcomes. The State made progress on outcomes A and B. Outcome C remained consistent - within 0.5%. The State attributes this progress to the collaboration between the NHDOE and PTAN resulting in intensive ongoing technical assistance to districts and communication with the three publishers, as well as performance support from the National Early Childhood Technical Center (NECTAC) and Early Childhood Outcome Center (ECO).

Summary Statement 2: The percent of preschool children who were functioning within age expectations in each Outcome by the time they turn 6 years of age or exited the program.

Established targets were very close to actual data which indicates that the assumptions made about the baseline data were correct. The NHDOE did not meet or exceed the targets for each of the outcomes for Summary Statement 2.

It is important to note that the direction of change was estimated correctly for each target, (A and B were predicted to increase, and C was predicted to decrease with higher quality data) showing that the assumptions made about the baseline data were correct. During FFY 2010 the direction of change continues on the same trajectory (A and B continued to increase FFY 2009, and C decreased as the quality of data increased).

- **Discuss the number of children in the data set and the number/percentage of children missing in the outcomes data. Describe how you calculate the missing data.**

The NHDOE reported POMs data for 1,070 children. This is consistent with the expected number of children who would be exiting preschool special education in New Hampshire. This expectation is based on the assumption that slightly more than one third of children ages 3 through 5 would be exiting preschool special education. The federal child count for children ages 3-5 with IEPs on 10/1/10 was 3,135. One third of that number is 1,045. Another way to base the expected number of children exiting would be to compare the number reported as exited (1070) to the number of five year olds in preschool special education (1,178). Therefore it is reasonable to conclude that the actual number reported is representative of the children who should be included in the data.

NH continues to recognize that there were a small number of children with missing data. This was a result of missing data on children who move into or out of a district that uses the Brigance tool published by Curriculum Associates (CA). CA has been unable to allow for the sharing of the Child Outcome Score. While this is not believed to be a significant number at the state level, it has a potentially large result in the data at the local level. The NHDOE, with support from ECO, has been working with CA to try and resolve this issue. In addition, there are 3 districts that have not been compliant with the requirements to report on POMS. These are small districts so once again it is not believed that this has an impact on State level results but does impact local data. Additional monitoring and enforcement actions have been taken with these districts.

- **Discuss the a-e progress data with regard to patterns in the data and how they compare to what you would expect. Is the state's percentage in "a" higher than you would expect? Is the State's percentage in "b", "c", "d", or "e" lower or higher than you would expect?**

A review of the a-e progress data reflects patterns for NH that were expected. The state's percentage in category "a" is lower than other categories and is on target for the population assessed. It was expected that categories "b" and "c" be somewhat comparable to each other, while category "d" score higher. Category "e" being lower than category "d" is also expected. Overall the patterns in the data for NH are expected.

The NHDOE has experienced many challenges with the Curriculum Associates Brigance IED II and has looked closely at the data reported by each of the three tools. When reviewing the data of categories a-e, the Brigance IED II indicates some anomalies in the pattern. An alternative review of the data was made minus the Brigance IED II. The data pattern without the Brigance IED II was more consistent between

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AEPSi and Teaching Strategies GOLD. Further, New Hampshire then met or exceeded all state targets for Summary Statement 1 and met or exceeded 2 out of 3 targets for Summary Statement 2. See below:

Summary Statement 1 With AEPS and GOLD Data only	Actual FFY 2010 (% and # children)	Target FFY 2010 (% of children)	Target Met
Outcome A – Social/Emotional Skills	77.8% (n=437)	66.3%	Yes
Outcome B - Knowledge and Skills	79.3 (n=488)	67.1%	Yes
Outcome C – Appropriate Behaviors	76.3 (n=418)	68.5%	Yes

Summary Statement 2 With AEPS and GOLD Data only	Actual FFY 2010 (% and # children)	Target FFY 2010 (% of children)	Target Met
Outcome A – Social/Emotional Skills	68.1% (n=599)	71.3%	No
Outcome B - Knowledge and Skills	58.4% (n=599)	53.4%	Yes
Outcome C – Appropriate Behaviors	66.9% (n=599)	63.1%	Yes

Based upon the review of these data and other factors regarding the implementation of the Brigance IED II as an assessment tool for Preschool Outcomes, the NHDOE has made the decision to discontinue the use of the CA Brigance IED II for Preschool Outcomes Measurement reporting. This decision was documented in FY 12 Memo #10 which was released on 12/12/11

(http://www.education.nh.gov/instruction/special_ed/memos.htm). NH will continue to use the other tools and will provide training opportunities for current Brigance IED II users to change to one of the other tools during the 2011-2012 year. There will be a transition period for this change which will be described in more detail in the next APR. The NHDOE has worked closely with ECO to ensure that this transition is as smooth as possible and results in the minimum amount of data loss.

Additional information required by OSEP APR Response Table for the indicator:

Statement from Response Table	State's Response
The State must report progress data and actual target data for FFY 2010 with the FFY 2010 APR, due February 1, 2010.	The NHDOE has reported on progress data and actual target data in this APR.

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**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines /
Resources for FFY 2011:**

There were no revisions to the SPP for this indicator.

Overview of the Annual Performance Report Development:

The development of the NH Part B State Annual Performance Report (APR) for FFY 2010 is described in the Overview section of the APR.

Stakeholder Input

The NHDOE sought input from families, the New Hampshire Parent Information Center (NH's PTI), individuals from the NH State Advisory Committee on the Education of Students/Children with Disabilities (SAC) and school representatives through all phases of this process for the 2010-2011 parent survey. This is the fourth year of the Indicator B-8 workgroup where school and family members support the Department of Education regarding the parent survey.

Technical Assistance

The NHDOE received technical assistance from the Data Accountability Center (DAC), previously the NCSEAM Center.

The New Hampshire Department of Education, Bureau of Special Education in partnership with DAC provided a statewide training on the *Improving Relationships & Results: Building Family and School Partnerships* on October 14, 2010. The training provided a unique set of technical assistance to schools and families that clearly defined and supported a scientifically designed common understanding regarding effective parent and school partnerships.

The NH Connections project (funded by the NHDOE) builds school and family partnerships. All trainings conducted by this project during the 2010-2011 school year were based on the *Improving Relationships & Results: Building Family and School Partnerships* training. The training is posted on our website at: http://www.education.nh.gov/instruction/special_ed/parent_involv.htm and is a course option in our Online Professional Education Network (OPEN) program located at: <http://nheon.org/opennh/courses/CurrentCourseSchedule.html>

Batya Elbaum from DAC provided ongoing technical assistance to the Department regarding the parent survey administration and parent involvement improvement activities via conference calls and webinars.

- Batya Elbaum provided technical assistance that impacted improvements to the 2010-2011 parent survey as follows: measurement over time of survey results; analysis of data and outcomes at the state, district and school level; the determination of effectiveness of the improvement activities at the state and district level based on survey results and informal feedback, and the analysis of the relationship of the impact of the improved success of this indicator regarding family and school partnerships.
- Batya Elbaum coordinated with the NHDOE and the NH Connections project to present with district representatives in a panel discussion *Improving Family-School Partnerships in Special Education: Strategies that Work* at the NH Partnerships for Education Conference held in Concord, NH on March 12, 2011. The panel presentation showcased how different districts have approached improving family and school partnerships in special education and the positive impact it has had on districts.
- On April 15, 2010, Batya Elbaum from Data Accountability Center (DAC), staff from the Bureau of Special Education, the NH Connections Project and District Special Education Directors presented a statewide webinar entitled *Parent Involvement in Special Education Survey: Using Results to Improve Student Success*. This webinar provided information from the federal, state and district level about how schools and families are partnering to develop effective parent involvement activities as a means of improving services and results for children with disabilities.

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- During the month of June, 2011, Batya Elbaum reviewed early data results from the 2010-2011 parent survey and provided guidance to the Department regarding the need for statewide supports including examples of improvement activities from other states to promote continued progress for the 2011-2012 school year.

Monitoring Priority: FAPE in the LRE

Indicator 8: Percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.

(20 U.S.C. 1416(a)(3)(A))

Measurement: Percent = [(# of respondent parents who report schools facilitated parent involvement as a means of improving services and results for children with disabilities) divided by the (total # of respondent parents of children with disabilities)] times 100.

Overview of FFY Data:

FFY 2007 SPP – Baseline year: 32%

FFY 2008 APR – First year of data: 45%

FFY 2009 APR – Second year of data: 47%

FFY 2010 APR – Third year of data: 50%

FFY	Measurable and Rigorous Target
FFY 2010	In NH, 35% of parents with a child receiving special education services report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.

FFY	Actual Target Data
FFY 2010	50%

Actual Target Data for FFY 2010 (reporting period July 1, 2010 – June 30, 2011):

Calculation

Percent = [(# of respondent parents who report schools facilitated parent involvement as a means of improving services and results for children with disabilities) divided by the (total # of respondent parents of children with disabilities)] times 100.

$$50\% = [(2,978)/(5,932)] \times 100$$

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Explanation of Calculation

Response Rate

In order to interpret the results it is important to understand the overall response rate.

The surveys were sent to New Hampshire parents of all children with disabilities: 2,772 parents of preschool and 29,190 parents of school age children with a combined total of 31,962. A total of 5,932 parents of children with disabilities completed the survey.

$$19\% = [(5,932)/(31,962)] \times 100$$

This is an overall statewide response rate of 19%.

This is an increase of 4 percentage points in the response rate from 15% in 2008-2009 to the 19% in 2010-2011.

Results

New Hampshire had a total of 2,978 respondent parents of children with disabilities who reported that schools facilitated parent involvement as a means of improving services and results for children with disabilities. This means that 50% of the respondents reported that schools facilitated parent involvement.

The following table shows the 2010-2011 NH Survey Results of the Percentage of Parents Response At or Above the Standard. The standard is set at a Rasch score of 600 based on recommendations from the NCSEAM pilot study.

Table 8.1 2010-2011					
STATEWIDE	TOTAL RESPONSE	RESPONSES AT OR ABOVE THE STANDARD *		95% CONFIDENCE INTERVAL	
		NUMBER	PERCENT	LOW	HIGH
Preschool	665	412	62%	58.7%	66.0%
School Age	5,267	2,566	49%	47.5%	50.2%
Combined	5,932	2,978	50%	49.1%	51.6%

For more detailed information please refer to:

http://www.education.nh.gov/instruction/special_ed/parent_involv.htm

Representativeness

Of the 5,932 surveys received, 5,186 surveys held enough data/ information to be included in the determination of representativeness. For the student demographic variables of gender and race/ ethnicity, the parents who responded to the survey were representative of the statewide population of parents of children with disabilities based on the December 2010 Federal Child Count for Special Education. This was determined through a comparison of the respondents' children to the special education population overall by gender and race/ethnicity. More information on this is available at:

http://www.education.nh.gov/instruction/special_ed/documents/year4_statewide_nh_parent_survey_report.pdf

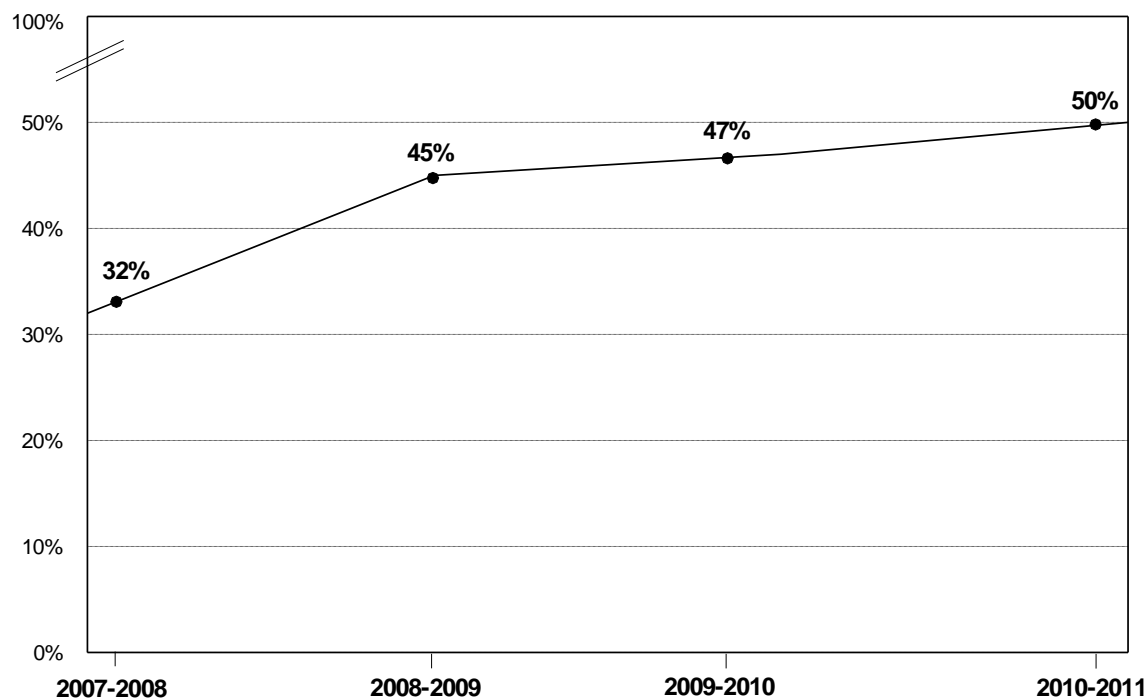
Definitions

Rasch Score: The Rasch measurement model provides an accurate, reliable method for measuring the extent to which parents report that their schools facilitated parent involvement as a means of improving services and results for children with disabilities. For Indicator 8, New Hampshire used the Rasch measurement model to score each set of survey responses based on a valid, reliable measurement scale. This is the same approach used in estimating scores on standardized tests such as the Scholastic Aptitude Test (SAT). Similar to any standardized testing, this then allows for a cut-off point or a standard to be set. For this survey, the standard was set at 600 which reflects a substantially high level of parental agreement with the survey items. When a parent's survey score is 600 or above it is reasonable to say that they are reporting that their schools facilitated parent involvement as a means of improving services and results for children with disabilities. A parent's survey score of 600 or above can be interpreted as an indication of partnership between the school and the family.

The following graph illustrates that since the baseline was established in the 2007-2008 school year, there has been an 18 percentage point increase from 32% to 50% of the total number of parents of children with disabilities who replied to the survey and reported that the schools facilitated parent involvement as a means of improving services and results for children with disabilities.

In 2010-2011, there was a 3% increase in the statewide percentage of parents who indicated that schools facilitated parent engagement as a means of improving special education services. This represents continued significant improvement (18%) over the past four years from 32% to 50% in parent ratings on this parent involvement indicator.

Chart 8.1
Percentage of Agreement with Indicator B-8
Across the Past Four Years



Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010:

Note: The NHDOE reports improvement activities as completed or not completed based on the expectations for the activity for the reporting period. Even though an activity may be reported as completed for the reporting period, the activity may be ongoing and continue in the next year.

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NH SPP Improvement Activity 1: Completed

During the 2010-2011 administration of the parent survey, the NHDOE and Measurement Incorporated, the designated contractor, continued to provide targeted technical assistance to districts to increase the number of accurate addresses to which the surveys were sent. This was done in the following ways:

- The NHDOE issued FY11 Memo #20 the New Hampshire Parent Involvement Survey Administration on March 1, 2011. This memo included detailed information outlining the process to be used regarding the survey administration to districts to ensure efficiency in distributing the survey to parents. This memo included improvements to the parent survey administration based on feedback given to the NHDOE by districts and families. For more detailed information please refer to: http://www.education.nh.gov/instruction/special_ed/documents/fy11memo20_nh_parent_involvement_survey.pdf
- The Bureau of Special Education continued to host Indicator B-8 Input Group meetings to discuss improvement activities and procedures to increase the accuracy of contact information of parents for the 2010-2011 survey administration. Members of the Indicator B-8 Input Group, consisting of representatives from school and family organizations, provided suggestions to the Bureau of Special Education. Many of the suggestions were incorporated into the technical assistance that was provided to districts. Targeted technical assistance was given to districts with new staff and those districts who asked for assistance to improve their overall response rate. District staff were supported in updating their databases regarding parent contact information.
- Measurement Incorporated worked with districts to ensure that the most accurate contact information for parents was used in mailing the survey to the parent. Arrangements were made for the surveys to be mailed directly to the parents from the district.
- Measurement Incorporated provided ongoing "hotline" communication to provide districts the targeted technical assistance needed for the 2010-2011 survey dissemination to ensure the accuracy and efficiency of the survey administration process.
- Following the completion of the 2010-2011 Parent Survey, Measurement Incorporated conducted a web-based survey with follow-up phone calls to receive feedback from the Directors of Special Education regarding the administration of the Parent Involvement Survey. The NHDOE used that feedback to improve the process for administration of the survey. This feedback will also be used to develop targeted technical assistance to districts regarding the 2011-2012 parent survey administration. To learn more about the feedback survey please refer to: http://www.education.nh.gov/instruction/special_ed/parent_involv.htm.
- Measurement Incorporated provided general and targeted technical assistance to NH school districts. All districts were contacted (by email or telephone) to establish a connection to technical assistance services, to confirm survey numbers and to offer translation services for families if needed. Approximately half of the NH school districts required additional surveys or had general questions about some aspect of survey administration. Eight districts needed specific support or had questions about a situation in their district, e.g., what should they do about the students that are referred outside the district for services or how do they address multiple children in the same family.

NH SPP Improvement Activity 2: Completed

Measurement Incorporated continued to increase their outreach to districts to support the use of alternative survey methods (i.e. Interpreters, readers, on- line access) for families in need of these services in the following ways:

- Each district was contacted to ensure that families were provided the supports of alternative survey methods as needed.
- School districts and parent organizations increased the awareness to families of the option to access alternative survey methods.
- Public libraries and schools were made available to families to provide a location for some alternative survey methods.

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- Both versions of the survey (i.e., preschool and school age) were translated into Spanish. Forty-two or 0.7% of the surveys were completed and submitted in Spanish in the 2010-2011 survey administration.
- An additional 33 surveys or 0.6% were submitted by parents who had an interpreter translate the survey to their native language. Surveys were translated for parents whose native languages were Maay-Maay, Somali, Albanian, Arabic, Bosnian, Croatian, Dinka/ French Linguala, Krahn and Kurdish.
- The survey was completed online by 13% of respondents (660 of the 5,857 parents). This was an increase of 3 percentage points over the 2009-2010 survey in which 10% were completed online. The online survey was available in both English and Spanish for parents of preschool and school age children.

NH SPP Improvement Activity 3: Completed

The NHDOE worked with Measurement Incorporated and the NH Connections project to assist districts in improving family/school partnerships in special education in the following ways:

- The NH Connections project reached out to all districts that had a rate below the state target to participate in regional activities that shared strategies among school districts and families to strengthen partnerships.
- The NH Connections project worked with school districts in each of the five Superintendent regions to hold a regional forum and follow-up topical meeting to discuss and share current practices and strategies to increase family/school partnerships in special education. These forums and meetings allowed the sharing and learning from one another and identified districts and parents who are leaders in building and maintaining family/school partnerships in special education.
- Over 20 school districts received individual targeted technical assistance tailored to meet the individual district's needs was provided by the NHDOE and the NH Connections project. Targeted technical assistance was based on the *Improving Relationships & Results: Building Family and School Partnerships* and focused on the research indicating the importance of building strong leadership; positive home-school relationships characterized by effective two-way meaningful communication; on-going professional development on family engagement; staff members dedicated to family engagement; and development of parent leaders.

NH SPP Improvement Activity 4: Completed

The NHDOE, Measurement Incorporated, and the NH Connections project reached out to all districts that substantially exceeded the state target to participate in regional activities that shared strategies among school districts and families to strengthen partnerships. These activities included events such as:

- Districts that substantially exceeded the state target were showcased at these regional events throughout the state, offering research-based strategies that have contributed to parent involvement.
- Parent leaders and administrators in these selected districts that substantially exceeded the state target mentored other districts on strategies or methods to increase parent involvement in special education. This included on-site visits in addition to regional presentations.
- The NHDOE conducted a statewide webinar entitled, *Overview of Parent Involvement Survey - The Who, What, Where, and Why*. During this webinar, administrators from several different districts and school levels shared their strategies for increasing response rates and for improving local performance. The webinar was archived so that all districts could use it as a reference at any time.
- The NHDOE and NH Connections held a session entitled *Improving Family-School Partnerships in Special Education: Strategies that Work* at the NH Partnerships for Education Conference held in Concord, NH on March 12, 2011. The session showcased the methods/activities that have

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contributed to parent involvement. Three different districts shared their various successful approaches to increasing parent involvement.

NH SPP Improvement Activity 5: Completed

The NHDOE took a strategic approach to exploring all the options to improve partnership efforts between schools and families. Because it is research-based, the NHDOE provided, in partnership with DAC, a statewide training on the *Improving Relationships & Results: Building Family and School Partnerships*.

During the 2010-2011 school year, NH Connections provided ongoing targeted technical assistance based on the *Improving Relationships & Results: Building Family and School Partnerships*.

Trainings were provided as a unique set of technical assistance to schools and families that clearly defined and supported a scientifically designed common understanding regarding effective parent and school partnerships.

In addition, the NHDOE and various projects funded by the Bureau of Special Education utilized the tools and strategies in *Beyond the Bake Sale* to assist school districts in evaluating their family/ school/ community involvement activities. This strategic approach to improving family and school partnerships has not only provided research-based methods and tools for schools to use but has also assisted with the alignment projects funded by the Bureau of Special Education in providing technical assistance to school districts.

NH Connections facilitated regional forums on family-school partnerships in special education in each of the five Superintendent regions of NH. This allowed the exploration of current practices and strategies to increase family/school partnerships in special education on a statewide, regional and individual district level. Topical discussions in each of the regions provided additional opportunities to delve deeper into specific practices that could be utilized on statewide, regional or district levels to improve partnerships. Additionally, NH Connections held parent leadership trainings to further develop parents as a mechanism for improving family-school partnerships.

NH SPP Improvement Activity 6: Completed

The NHDOE Indicator 8 Input group recommended that a flyer be distributed by e-mail to all family organizations, school districts and community agencies to market the survey in multiple formats. The e-mail was sent to targeted family organizations such as the Parent Information Center (NH's Parent Training and Information Center), National Alliance on Mental Illness (NAMI), Autism Society, NH Family Voices, Institute of Disabilities, Partners in Policy Making, etc. to ensure that families understood the importance of completing the survey. Family Organizations forwarded the e-mail notice via their various and posted information on their websites.

NH SPP Improvement Activity 7: Completed

The NHDOE disseminated results of the Parent Survey in the following ways:

- The NHDOE posted the Parent Survey Statewide results, the Parent Survey Input Group Participant List, and a list of Parent Involvement Resources on the website on September 2011. Additional information can be found at:
http://www.education.nh.gov/instruction/special_ed/parent_involv.htm
- The NHDOE:
 - Disseminated the Parent Survey Statewide Survey Statewide results to schools, agencies, and organizations.
 - Made available Parent Involvement Resources.
 - Provided districts with their individual 2010-2011 parent survey results.
 - Provided each district with an opportunity to request technical assistance to review the results with the NHDOE in preparation of the public reports.

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NH SPP Improvement Activity 8: Completed

Measurement Incorporated, the designated contractor, collaborated with the NHDOE in the following ways:

- In this year's mailing of surveys to each school district, Measurement Incorporated (MI) included 10 copies of a flyer that could be posted/ circulated to improve awareness and promote participation in the survey. This flyer was made available in hard copy and electronically. Additionally, within the flyer, MI designated NH Connections as a resource and provided contact information for them. MI worked with NH Connections to boost the response rate through emails and postings to school personnel and parent organizations.
- In the spring of 2011, Measurement Incorporated (MI) conducted a web-based survey to collect feedback from Special Education Directors as to how to continue to improve the survey administration for the subsequent school year. MI revised elements of the 2010-2011 survey administration based on feedback from Special Education Directors about the 2009-2010 survey administration.
- Measurement Incorporated (MI) worked with the Data Accountability Center and other local and national resources to continue to provide the NHDOE with research based effective process to increase student success through improved parent and school involvement. MI and the NHDOE worked with Batya Elbaum from DAC to locate effective strategies to assist schools and districts to develop parent involvement that enhanced meaningful school and family partnerships.
- Measurement Incorporated provided districts with their individual 2010-2011 parent survey results to formulate a strategic plan to meet their specific needs. These reports present data from across the past four years of survey administration so that districts can evaluate important trends in their district and determine whether they are making progress on district goals from year to year.

Explanation of Progress or Slippage

The NHDOE exceeded the target of 35% for 2010-2011.

State Actual Data: 50%

Target: 35%

These data show progress of 3 percentage points from 47% in 2009-2010 to 50% in 2010-2011.

Progress was made both at the preschool and school age levels:

- 60% to 62% or a 2 percentage point increase among parents of preschool children,
- 46% to 49% or a 3 percentage point increase among parents of school age children and
- 47% to 50% or a 3 percentage point increase among parents of preschool and school age children.
- 50% is 15 percentage points higher than the state target for this year.

The 2010-2011 survey results evidences efforts schools are making to support parents. In general, statewide results suggest that school and family partnerships overall are strong and parental involvement is being facilitated. Based on specific items in the survey, over 90% of parents (both preschool and school age combined) agreed that schools facilitated:

- effective communication between the school and families,
- active engagement as a partner in the IEP process, and
- an open and respectful climate for parents with questions

Across the past four years of statewide survey administration there have been continued significant improvements of 18% in parent ratings on this parent involvement indicator. These positive results suggest that the improvement activities implemented by the Bureau of Special Education, the local

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districts and their partner organizations have had a dramatic positive effect on parent involvement and parent/ school partnerships.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011:

There were no revisions to the SPP for this indicator.

Overview of the Annual Performance Report Development:

The development of the NH Part B State Annual Performance Report (APR) for FFY 2010 is described in the Overview section of the APR. The NHDOE has elected to use the OSEP Optional template for this Indicator.

Technical Assistance

The NHDOE worked with NERRC and the Data Accountability Center (DAC) in the development of this indicator. Technical assistance included specific guidance regarding our procedures for identification of LEAs with disproportionate representation and data analysis. The NHDOE utilized Westat's revised Disproportionality template (EXCEL workbook) to analyze the data. In addition, the NHDOE sought support from NERRC and DAC regarding the process for determining if the disproportionate representation was the result of inappropriate identification.

Monitoring Priority: Disproportionality

Indicator 9: Percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.

(20 U.S.C. 1416(a)(3)(C))

Measurement:

Percent = $\left[\frac{\text{(\# of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification)}}{\text{(\# of districts in the State)}} \right] \text{ times } 100.$

Overview of FFY Data:

FFY 2004 – Baseline not required by OSEP

FFY 2005 – Baseline Year: 0%

FFY 2006 – First Year of data: 0%

FFY 2007 – Second Year of data: 0%

FFY 2008 – Third Year of data: 0%

FFY 2009 – Fourth Year of data: 0%

FFY 2010 – Fifth Year of data: 0%

In analyzing data for this indicator, the State must:

The NHDOE used data collected on *Table 1 (Child Count) of Information Collection 1820-0043 (Report of Children with Disabilities Receiving Special Education under Part B of the IDEA, as amended)* for all children with disabilities aged 6 through 21 served under IDEA. The NHDOE reported race and ethnicity data using the new racial and ethnic categories including children in the “two or more races” category.

The NHDOE used data collected for the *October 1, 2010 Enrollments in NH Public Schools* through the state’s all-student data system to determine, by race/ethnicity, the total number of students enrolled in each district.

The NHDOE began reporting under Indicator 9 on disproportionate representation of children in the “two or more races” category with the FFY 2010 APR, due February 1, 2012.

Definition of “Disproportionate Representation” and Methodology

Definition of Disproportionate Representation

The NHDOE has defined disproportionate representation of racial and ethnic groups in special education and related services as a weighted risk ratio above 3.00 for over-representation and a weighted risk ratio below 0.33 for under-representation.

Methodology

All racial/ethnic groups were included in the analysis, as required by OSEP. A weighted risk ratio was used in analyzing the district data. In order to calculate the weighted risk ratio, there had to be at least two racial/ethnic subgroups in the district that met the minimum “n” size. The minimum “n” size was defined as at least 40 students enrolled in the district in two or more racial/ethnic subgroups and within those subgroups, at least 10 students identified as receiving special education and related services. The cell size was selected to protect individually identifiable student information and to ensure that there were sufficient students in the subgroups to allow for appropriate identification of disproportionate representation. The cell size is consistent with the cell size used for determining AYP. The *OSEP/Westat technical guide: Methods for Assessing Racial/Ethnic Disproportionality in Special Education: A Technical Assistance Guide*, July 2007 (<https://www.ideadata.org/TAMaterial.asp>) was used in developing this methodology. The NHDOE used the electronic spreadsheet developed by WESTAT that calculates both weighted and un-weighted risk ratios to determine state and district level data.

In the NH Part B FFY 2009 SPP/APR Response Table, the only comment from OSEP was that “OSEP appreciates the State’s efforts regarding this indicator.” The NHDOE used the same procedure for the FFY 2010 APR.

Step One: *States must provide the **number of districts identified with disproportionate representation** of racial and ethnic groups in special education and related services.*

Using the criteria established above, the NHDOE determined that, out of 174 school districts, 14 school districts met the cell size requirement for data analysis. Of those 14 school districts, 4 were identified as meeting the data threshold for disproportionate representation of over and/or under representation. Of the 4 districts, 1 had over representation of black students and 3 had an under representation of Asian/Pacific Islander students.

Last year (FFY 2009) the NHDOE, with support from NERRC and DAC, conducted an intensive review of our procedure for identification of LEAs with disproportionate representation. Based on this examination, the NHDOE determined that the process as explained in the SPP was sound. The small number of districts that met the cell size was a direct result of the homogeneous nature of New Hampshire’s population.

Step Two: Determining if Disproportionate Representation is the Result of Inappropriate Identification *States must report on the percent of districts in which disproportionate representation of racial and ethnic groups in special education and related services is the result of inappropriate identification, even if the determination of inappropriate identification was made after the end of the FFY 2010 reporting period, i.e., after June 30, 2011.*

The NHDOE utilized a desk audit monitoring process for the 4 districts identified in Step One to determine whether the disproportionate representation (see above definition) was the result of inappropriate identification. The NHDOE examined the 4 districts’ child find, evaluation, eligibility and other related policies, procedures and practices to ensure an equitable consideration for special education and related services for all racial and ethnic groups and that eligibility determinations were conducted appropriately. For each of the 4 districts, the State consulted with the local Director of Special Education regarding the data and reviewed local policies, procedures and practices related to this indicator. In addition, the NHDOE reviewed the data for complaints and due process hearings for any issues regarding inappropriate identification that may have been found in either of these dispute resolution mechanisms.

As a result of its verification process, the NHDOE determined that, of the 14 districts that met the cell size requirement for data analysis, 4 had disproportionate representation of racial and ethnic groups in special

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education and related services and zero (0) districts had disproportionate representation of racial and ethnic groups in special education and related services that was the result of inappropriate identification.

FFY	Measurable and Rigorous Target
FFY 2010	0%

FFY	Actual Target Data for FFY 2010:
FFY 2010	0%

Districts with Disproportionate Representation of Racial and Ethnic Groups that was the Result of Inappropriate Identification

Year	Total Number of Districts	Number of Districts with Disproportionate Representation	Number of Districts with Disproportionate Representation of Racial and Ethnic Groups that was the Result of Inappropriate Identification	Percent of Districts
FFY 2010 (2010-2011)	14	4	0	0.00%

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010:

Note: The NHDOE reports improvement activities as completed or not completed based on the expectations for the activity for the reporting period. Even though an activity may be reported as completed for the reporting period, the activity may be ongoing and continue in the next year.

NH SPP Improvement Activity 1: Completed

The NHDOE required districts with disproportionate representation to conduct a self-assessment of the district policies, procedures and practices relative to this indicator. The NHDOE provided technical assistance to support districts with this process and reviewed the district findings with the Special Education administrator for each district.

NH SPP Improvement Activity 2: Completed

There were no districts identified as having a disproportionate representation of racial/ethnic groups in special education and related services that was a result of inappropriate identification.

NH SPP Improvement Activity 3: Completed

The NHDOE contracted with four Technical Assistance Consultants (TAC) during the 09-10 school year and the 10-11 school year. The TACs provided various professional development sessions, at the individual request of NH school districts, in areas such as writing measurable annual IEP goals and post-secondary goals, writing successful secondary transition plans, and special education process and policies. TACs also acted as the trainers for various NHDOE programs such as the IEP Facilitation Program and the Educational Surrogate Parent Program.

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NH SPP Improvement Activity 4: Completed

The NHDOE worked with the Parent Information Center (PIC) to ensure consistent messages and practices relative to all aspects of special education, with an eye to equity. A specific project of PIC, funded by the NHDOE, is NH Connections. NH Connections builds strong school, family and community partnerships and addresses issues related to reaching out to all race/ethnic groups.

NH SPP Improvement Activity 5: Completed

The NHDOE continued to provide the Procedural Safeguards in a variety of languages, based on the demographics of the state.

Explanation of Progress or Slippage

The State has met and maintained the target of 0% compliance with this indicator.

State Actual Data: 0% Target: 0%

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011 (if applicable):

There were no revisions to the SPP for this indicator.

Overview of the Annual Performance Report Development:

The development of the NH Part B State Annual Performance Report (APR) for FFY 2010 is described in the Overview section of the APR. The NHDOE utilized OSEP's optional APR template to report on this indicator.

Technical Assistance

The NHDOE worked with NERRC and the Data Accountability Center (DAC) in the development of this indicator. Technical assistance included specific guidance regarding our procedures for identification of LEAs with disproportionate representation of racial and ethnic groups in specific disability categories and data analysis. The NHDOE utilized WESTAT's revised Disproportionality template (EXCEL workbook) to analyze the data. In addition, the NHDOE sought support from NERRC and DAC regarding the process for determining if the disproportionate representation was the result of inappropriate identification.

Monitoring Priority: Disproportionality

Indicator 10: Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.

(20 U.S.C. 1416(a)(3)(C))

Measurement:

Percent = $\left[\frac{\text{(\# of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification)}}{\text{(\# of districts in the State)}} \right] \times 100$.

Overview of FFY Data:

FFY 2004 – Baseline not required by OSEP

FFY 2005 – Baseline Year: 0%

FFY 2006 – First Year of data: 0%

FFY 2007 – Second Year of data: 0%

FFY 2008 – Third Year of data: 0%

FFY 2009 – Fourth Year of data: 0%

FFY2010 – Fifth Year of data: 0%

Data analyses for this indicator:

The NHDOE used data collected on *Table 1 (Child Count) of Information Collection 1820-0043 (Report of Children with Disabilities Receiving Special Education under Part B of the IDEA, as amended)* for all children with disabilities aged 6 through 21 served under IDEA. The NHDOE reported race and ethnicity data using the new racial and ethnic categories including children in the "two or more races" category in the six following disability categories: mental retardation, specific learning disability, emotional disturbance, speech or language impairments, other health impairments and autism.

The NHDOE used data collected for the *October 1, 2010 Enrollments in NH Public Schools* through the state's all-student data system to determine, by race/ethnicity, the total number of students enrolled in each district.

Definition of “Disproportionate Representation” and Methodology

Definition of Disproportionate Representation

The NHDOE has defined disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification as a weighted risk ratio above 3.00 for over-representation and a weighted risk ratio below 0.33 for under-representation.

Methodology

All racial/ethnic groups were included in the analysis, as required by OSEP. A weighted risk ratio was used in analyzing the district data. In order to calculate the weighted risk ratio, there had to be at least two racial/ethnic subgroups in the district that met the minimum “n” size. The minimum “n” size was defined as at least 40 students enrolled in the district in two or more racial/ethnic subgroups and within those subgroups, at least 10 students identified in the specific disability category (specific learning disability, mental retardation (now referred to as intellectual disability), autism, other health impaired, speech language impaired, and emotional disturbance) for the racial/ethnic subgroup being compared. The cell size was selected to protect individually identifiable student information and to ensure that there were sufficient students in the subgroups to allow for appropriate identification of disproportionate representation. The cell size is consistent with the cell size used for determining AYP. The *OSEP/Westat technical guide: Methods for Assessing Racial/Ethnic Disproportionality in Special Education: A Technical Assistance Guide*, July 2007 (<https://www.ideadata.org/TAMaterial.asp>) was used in developing this methodology. The NHDOE used the electronic spreadsheet developed by WESTAT that calculates both weighted and un-weighted risk ratios to determine state and district level data.

In the NH Part B FFY 2009 SPP/APR Response Table, the only comment from OSEP was that “OSEP appreciates the State’s efforts regarding this indicator.” The NHDOE used the same procedure for the FFY 2010 APR as used in the FFY 2009 APR.

Step One: States are to provide the *number of districts identified with disproportionate representation* of racial and ethnic groups in specific disability categories

Using the criteria established above, the NHDOE determined that, out of 174 school districts, 14 school districts met the cell size requirement for data analysis. Of those 14 school districts, 2 were identified as meeting the data threshold for disproportionate representation over and/or under representation of racial and ethnic groups in specific disability categories. Of the 2 districts, 1 had over representation of black students with Specific Learning Disabilities and 1 had an under representation of white with Other Health Impairments.

Last year (FFY 2009) the NHDOE, with support from NERRC and DAC, conducted an intensive review of our procedure for identification of LEAs with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification. Based on this examination, the NHDOE determined that the process as explained in the SPP was sound. The small number of districts that met the cell size was a direct result of the homogeneous nature of New Hampshire’s population.

Step Two: Determining if Disproportionate Representation is the Result of Inappropriate

Identification *States must report on the percent of districts in which disproportionate representation of racial and ethnic groups in specific disability categories is the result of inappropriate identification, even if the determination of inappropriate identification was made after the end of the FFY 2010 reporting period, i.e., after June 30, 2011.*

The NHDOE utilized a desk audit monitoring process for the 2 districts identified in Step One to determine whether the disproportionate representation (see above definition) was the result of inappropriate identification. The NHDOE examined the 2 districts’ child find, evaluation, eligibility and other related policies, procedures and practices to ensure an equitable consideration for racial and ethnic groups in specific disability categories that is the result of inappropriate identification and that eligibility determinations were conducted appropriately. For each of the 2 districts, the State consulted with the local Director of Special Education regarding the data and reviewed local policies, procedures and

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practices related to this indicator. In addition, the NHDOE reviewed the data for complaints and due process hearings for any issues regarding inappropriate identification that may have been found in either of these dispute resolution mechanisms.

As a result of its verification process, the NHDOE determined that, of the 14 districts that met the cell size requirement for data analysis, 2 had disproportionate representation of racial and ethnic groups specific disability categories and zero (0) districts had disproportionate representation of racial and ethnic groups in specific disability categories due to inappropriate identification.

Actual Target Data for FFY 2010:

FFY	Measurable and Rigorous Target
FFY 2010	0%

FFY	Actual Target Data
FFY 2010	0%

Districts with Disproportionate Representation of Racial and Ethnic Groups in Specific Disability categories that was the Result of Inappropriate Identification

Year	Total Number of Districts	Number of Districts with Disproportionate Representation	Number of Districts with Disproportionate Representation of Racial and Ethnic Groups in specific disability categories that was the Result of Inappropriate Identification	Percent of Districts
FFY 2010 (2010-2011)	14	2	0	0.00%

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010:

Note: The NHDOE reports improvement activities previously completed or not completed based on the expectations for the reporting period. Many activities are ongoing and will be continued in the next year even though they have been completed for the reporting period.

NH SPP Improvement Activity 1: Completed

The NHDOE required districts with disproportionate representation of racial/ethnic groups in specific disability categories that were results of inappropriate identification to conduct a self-assessment of the district policies, procedures and practices relative to this indicator. The NHDOE provided technical assistance to support districts with this process and reviewed the district findings with the Special Education administrator for each district.

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NH SPP Improvement Activity 2: Completed

There were no districts identified as having a disproportionate representation of racial/ethnic groups that were a result of inappropriate identification in specific disability categories.

NH SPP Improvement Activity 3: Completed

The NHDOE contracted with four Technical Assistance Consultants (TAC) during the 09-10 school year and the 10-11 school year. The TACs provided various professional development sessions, at the individual request of NH school districts, in areas such as writing measurable annual IEP goals and post-secondary goals, writing successful secondary transition plans, and special education process and policies. TACs also acted as the trainers for various NHDOE ran programs such as the IEP Facilitation Program and the Educational Surrogate Parent Program.

NH SPP Improvement Activity 4: Completed

The NHDOE worked with the Parent Information Center (PIC) to ensure consistent messages and practices relative to all aspects of special education, with an eye to equity. A specific project of PIC, funded by the NHDOE, is NH Connections. NH Connections builds strong school, family and community partnerships and address issues related to reaching out to all race/ethnic groups in specific disability categories.

NH SPP Improvement Activity 5: Completed

The NHDOE continued to provide the Procedural Safeguards in a variety of languages, based on the demographics of the state.

Explanation of Progress or Slippage

The State has met and maintained the target of 0% compliance with this indicator.

State Actual Data: 0% Target: 0%

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011 (if applicable):

There were no revisions to the SPP for this indicator.

Overview of the Annual Performance Report Development:

The development of the NH Part B State Annual Performance Report (APR) for FFY 2010 is described in the Overview section of the APR. The NHDOE has elected to use the OSEP Optional template for this Indicator.

Stakeholder Input

The NHDOE sought input from stakeholders who participated in the New Hampshire Special Education Information System (NHSEIS) trainings to gain a better understanding of districts' needs regarding this indicator. The NHDOE continues to modify our trainings in order to effectively meet the needs of districts for this indicator.

Technical Assistance

In the OSEP letter regarding NH's determination dated June 20, 2011, OSEP notes that Indicator 11 reflects a high level of performance. The NHDOE accessed the OSEP funded website *The Right Idea* for resources and information pertaining to Indicator 11 at:

http://therightidea.tadnet.org/assets/browse_by_folder?folder=146&folder_name=11%3A+Child+Find.

Resources reviewed included: Investigative Questions for B11; and OSEP Timely Correction Memo (09-02). These resources supported the State's understanding of how to report on the data and identify and verify correction of findings of noncompliance for this indicator.

The NHDOE requested technical assistance from Sara Doutre, Susan Marks and Karen Mikkelson, NERRC via webinar for further clarification on identification and correction on non-compliance and correspondence with districts on non-compliance instances for Indicator 13 as well as other compliance indicators.

Indicator 11: Percent of children who were evaluated within 60 days of receiving parental consent for initial evaluation or, if the State establishes a timeframe within which the evaluation must be conducted, within that timeframe.

Monitoring Priority: Effective General Supervision Part B / Child Find

(20 U.S.C. 1416(a)(3)(B))

Measurement:

- a. # of children for whom parental consent to evaluate was received.
- b. # of children whose evaluations were completed within 60 days (or State-established timeline).

Account for children included in a. but not included in b. Indicate the range of days beyond the timeline when the evaluation was completed and any reasons for the delays.

Percent = [(b) divided by (a)] times 100.

Overview of FFY Data:

FFY 2005 -- Baseline Year: 81.1%

FFY 2006 -- First Year of data: 95%

FFY 2007 -- Second year of data: 77%

FFY 2008 -- Third Year of data: 81%

FFY 2009 -- Fourth Year of data: 95%

FFY 2010 -- Fifth Year of data: 96%

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FFY	Measurable and Rigorous Target
FFY 2010	100%

FFY	Actual Target Data
FFY 2010	96%

Describe the method used to collect data – if data are from State monitoring, describe the method used to select LEAs for monitoring. If data are from a State database, include data for the entire reporting year (July 1, 2010 – June 30, 2011).

NHDOE's established time frame for completion of initial evaluation is 45 days from the receipt of parental consent for testing. Upon written consent of the parties the 45 day time limit may be extended by no more than 15 days. Both parties must sign the extension prior to the 45th day.

The NHDOE monitored each district in the state for compliance with this indicator. Data were collected for this indicator through a desk audit monitoring process. The data for this indicator were only partially available through the State database known as NHSEIS. NHSEIS does not collect written consent for time extensions or data on exceptions. Monitoring data for FYY 2010 were collected on all children for whom parental consent to evaluate was received for the time period of September 1-November 30, 2010.

Effective with the FFY 2009 APR, the NHDOE, based on clarification from OSEP, considers compliance to be determined based on the timeline from date of parent consent to evaluate to date of completion of evaluation. In previous SPP and APRs, NH measured the timeline from the date of parent consent to evaluate to date of determination of eligibility.

For the desk audit, districts were required to submit evidence of compliance including student information regarding date of referral, date of receipt of parental consent to evaluate and date of eligibility determination for special education that was entered by the district into the New Hampshire Special Education Information System (NHSEIS). The NHDOE desk audit also required that districts with written consent for an extension had to submit written documentation of the extensions so that the NHDOE could determine if the parties had signed it by the 45th day. The NHDOE reviewed the written documentation to ensure that signatures were within the 15 day extension. These data points were then analyzed to determine state compliance percentage and district compliance percentage for completion of initial evaluations.

The desk audit also allowed districts to present evidence of exceptions to the timeline "when the timeframe set for initial evaluation does not apply to a public agency if: 1) the parent of a child repeatedly fails or refuses to produce the child for evaluation or 2) a child enrolls in a school of another public agency after the timeframe for initial evaluations has begun, and prior to a determination but the child's previous public agency as to whether the child is a child with a disability" as allowed by 34CFR §300.301(d). As permitted by OSEP in the Measurement Table, the NHDOE did not report these exceptions in either the numerator or denominator.

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Children Evaluated Within 60 Days (or State-established timeline):

a. Number of children for whom parental consent to evaluate was received	1,427
b. Number of children whose evaluations were completed within 60 days (or State-established timeline)	1,366
Percent of children with parental consent to evaluate, who were evaluated within 60 days (or State established-timeline) (Percent = [(b) divided by (a)] times 100)	96%

Account for children included in (a) but not included in (b):

Of the 1,427 children for whom parental consent for initial evaluation was received, 61 children did not have evaluations completed within the State established timelines (45 days or 60 days with signed extension). The 61 children were from 28 districts. There were 9 of the 61 evaluations that were not timely and did not have documentation of evaluations completed as of the submission of this APR.

Indicate the range of days beyond the timeline and provide reasons for the delays:

Range of Days Beyond State Timelines	1-15 Days	16-30 Days	31-45 Days	46-60 Days	+60 Days	Total
# of Initial Evaluations	18	14	7	2	11	52

Reasons for Delay:

In analyzing the data, the majority of delays reported are a result of data entry errors. For example, a district may have entered the wrong date for eligibility or inactivated the student before entering the eligibility date. Districts were given an opportunity to review and correct data but some districts did not do so. Another reason for delay in the timely completion of evaluations was extensions not being timely (signed within the initial 45 day time frame). The NHDOE will make written findings of noncompliance consistent with OSEP Memo 09-02.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010:

Note: The NHDOE reports improvement activities as completed or not completed based on the expectations for the activity for the reporting period. Even though an activity may be reported as completed for the reporting period, the activity may be ongoing and continue in the next year.

NH SPP Improvement Activity 1: Completed

The NHDOE continued to refine and enhance the general supervision process to ensure compliance and timely correction for this indicator. The NHDOE developed consistent language, based on OSEP Memo 09-02, for written notification of identified noncompliance and the document verification of correction.

NH SPP Improvement Activity 2: Completed

The NHDOE provided districts with specific timelines to provide evidence of the implementation of IDEA relative to this indicator. Districts were prompted to submit documentation when evidence was not provided as requested. The NHDOE generated specific forms to aid the districts in understanding the documentation required to provide evidence of correction.

NH SPP Improvement Activity 3: Completed

The NHDOE incorporated technical assistance regarding this indicator in 15 NHSEIS trainings for a variety of stakeholders. This included explanation of the data collection and analysis process as well as the federal requirements for timely evaluations.

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NH SPP Improvement Activity 4: Completed

The NHDOE included in the NHSEIS trainings an explanation of the appropriate use of time extensions for initial evaluations, consistent with the federal and state requirements.

NH SPP Improvement Activity 5: Completed

The NHDOE has continued to work with the districts through email and phone conversations providing technical assistance regarding the timelines and correction of noncompliance for this indicator. Technical assistance includes support with data entry, improved understanding of federal and state requirements, and strategies for ensuring evaluations are completed timely.

Explanation of Progress or Slippage

The State did not meet the target of 100% compliance with this indicator.

State Data: 96% Target: 100%

The NHDOE demonstrated progress in this indicator of 1 percentage point from the FFY 2009 APR (from 95% compliance to 96% compliance). These data demonstrate continued substantial compliance for purposes of OSEP determinations. The NHDOE has benefited from support from the Data Accountability Center to ensure the quality and completeness of the data. Since the State did not report 100% compliance in the FFY 2010 APR, the NHDOE reviewed the improvement activities. Based on the consistent improvement in results, the high level of compliance and the timely correction of noncompliance, the NHDOE determined that it is not necessary to revise the improvement activities.

Correction of FFY 2009 Findings of Noncompliance (if State reported less than 100% compliance):

Level of compliance (actual target data) State reported for FFY 2009 for this indicator: 95%. Written findings of noncompliance based on the FFY 2009 data were made in FFY 10. The NHDOE will report on the correction of findings made based on FFY 2009 data in the FFY 2011 APR, due February 1, 2013.

Level of compliance (actual target data) State reported for FFY 2008 for this indicator: 81%.

In FFY 2009, the NHDOE made written findings of noncompliance relative to Indicator 11 based on FFY 2008 data. The level of compliance for FFY 2008 was 81%. The NHDOE collected a full year of data through a monitoring desk audit process from each district for this for this indicator for the FFY 2008 APR. There were 118 findings noncompliance issued in FFY 2009 based on these data.

1. Number of findings of noncompliance the State made during FFY 2009 (the period from July 1, 2009 through June 30, 2010)	118
2. Number of FFY 2009 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	112
3. Number of FFY 2009 findings <u>not</u> verified as corrected within one year [(1) minus (2)]	6

Correction of FFY 2009 Findings of Noncompliance Not Timely Corrected (corrected more than one year from identification of the noncompliance):

4. Number of FFY 2009 findings not timely corrected (same as the number from (3) above)	6
5. Number of FFY 2009 findings the State has verified as corrected beyond the one-year timeline ("subsequent correction")	6
6. Number of FFY 2009 findings <u>not</u> verified as corrected [(4) minus (5)]	0

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Verification of Correction of FFY 2009 noncompliance (either timely or subsequent):

For States that Reported Less than 100% Compliance for FFY 2009 for Indicator:

In FFY 2009, the NHDOE made findings of noncompliance based on FFY 2008 data. For each finding, the NHDOE verified the correction of noncompliance, consistent with OSEP Memo 09-02, as follows:

(1) The NHDOE verified that each district was correctly implementing 34 CFR §300.124(b), (i.e., achieved 100% compliance) based on a review of data subsequently collected through a desk audit monitoring process. During the correction period, the NHDOE reviewed local policies and procedures and supported districts with accurate data collection and entry in order to ensure districts were providing timely evaluations.

(2) Prior to issuing written findings of noncompliance, the NHDOE, through a data review, verified that each district had completed the evaluation, although late, for any child whose initial evaluation was not timely, unless the child was no longer within the jurisdiction of the LEA. Therefore, the NHDOE has verified that, for each of these individual cases, the district had completed the required action, although late, unless the child was no longer within the jurisdiction of the LEA, prior to the identification of findings, as reported in the FFY 2009 APR.

These findings reflect all noncompliance identified with this indicator through monitoring and data collections and written findings were made consistent with OSEP Memorandum 09-02 that identified the LEAs where noncompliance occurred and their levels of noncompliance and included the regulatory citations. All noncompliant practices were addressed through root cause analyses and improvement activities. Policies and procedures were revised as necessary.

Additional Information Required by the OSEP APR Response Table for this Indicator (if applicable):

Statement from the Response Table	State's Response
Because the State reported less than 100% compliance for FFY 2009, the State must report on the status of correction of noncompliance reflected in the data the State reported for this indicator.	The NHDOE reported on the status of the correction of noncompliance in the section: "Correction of FFY 2009 Findings of Noncompliance (if State reported less than 100% compliance)"
When reporting on the correction of noncompliance, the State must report, in its FFY 2010 APR, that it has verified that each LEA with noncompliance reflected in the FFY 2009 data the State reported for this indicator: (1) is correctly implementing 34 CFR § 300.301(c)(1)(i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has completed the evaluation, although late, for any child whose initial evaluation was not timely, unless the child is no longer with the jurisdiction of the LEA, consistent with OSEP Memo 09-02, dated October 17, 2008 (OSEP Memo 09-02). In the FFY 2010 APR, the State must describe the specific actions that were taken to verify the correction.	The NHDOE reported on the verification of correction of noncompliance in the section: <i>Verification of Correction of FFY 2009 noncompliance (either timely or subsequent):</i>

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Statement from the Response Table	State's Response
If the State does not report 100% compliance in the FFY 2010 APR, the State must review its improvement activities and revise them, if necessary.	The NHDOE responded to this in the section on <i>Explanation of Progress or Slippage</i>

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011 (if applicable):

There were no revisions to the SPP for this indicator.

Overview of the Annual Performance Report Development:

The development of the NH Part B State Annual Performance report (APR) for FFY 2010 is described in the Overview section of the APR. The NHDOE has elected to use the OSEP Optional template for this Indicator.

Stakeholder Input

The NHDOE met with representatives through a series of focus groups consisting of school districts, early intervention providers, parents and parent organizations (including NH's PTI) for input on the effectiveness of improvement activities as well as strategies to improve the quality of transitions. The NHDOE gained specific feedback on the improvement activity known as Supporting Successful Early Transitions (SSECT). SSECT has been nationally recognized and has been funded by the NHDOE to support smooth and effective transitions from Part C to Part B/619.

Technical Assistance

NH continues to achieve a high level of compliance, as noted in the OSEP letter regarding NH's determination. The NHDOE accessed the OSEP funded RRFC website for technical assistance regarding this indicator. Resources reviewed included the *OSEP FAQ on Identification and Correction, Early Childhood Part C and Part B Requirements Related to Transition, Transition Timeline Flow Chart, the OSEP Policy Letter to Mary Elder, Texas, Local Corrective Action Plans: Collection and Use of Valid and Reliable Data For Determining Factors Contributing To Noncompliance, and the Early Intervention to Early Childhood Tracking Form*. The NHDOE also benefitted from support from the Data Accountability Center regarding data collection, processing, analysis and verification of correction.

The NHDOE attended the OSEP Mega conference, including the Early Childhood strand, and participated in the session on the Transition FAQ. NHDOE staff also participated in the OSEP teleconference on the FAQ. NERRC has provided specific support to the NHDOE and the Part C office to assist us with early transition requirements.

The NHDOE and the Supporting Successful Early Childhood Transitions (SSECT) project have benefited from technical assistance from the National Early Childhood Technical Assistance Center (NECTAC), the National Early Childhood Transition Center (NECTC), NERRC and the Data Accountability Center (DAC) specifically with:

- Tools to support districts with reviewing and revising, if appropriate, policies, procedures and practices to promote smooth transitions;
- Guidance for districts and early intervention providers to develop effective Interagency Agreements, including onsite support and joint trainings;
- Systemic development of data systems to ensure accurate and timely data.

Monitoring Priority: Effective General Supervision Part B / Effective Transition

Indicator 12: Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.

(20 U.S.C. 1416(a)(3)(B))

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Measurement:

- a. # of children who have been served in Part C and referred to Part B for Part B eligibility determination.
- b. # of those referred determined to be NOT eligible and whose eligibilities were determined prior to their third birthdays.
- c. # of those found eligible who have an IEP developed and implemented by their third birthdays.
- d. # of children for whom parent refusal to provide consent caused delays in evaluation or initial services or to whom exceptions under 34 CFR §300.301(d) applied.
- e. # of children who were referred to Part C less than 90 days before their third birthdays.

Account for children included in a but not included in b, c, d, or e. Indicate the range of days beyond the third birthday when eligibility was determined and the IEP developed and the reasons for the delays.

Percent = [(c) divided by (a – b – d – e)] times 100.

Overview of FFY Data:

FFY 2004 – Baseline Year: 58.96%

FFY 2005 – First Year of data: 88.26%

FFY 2006- Second Year of data: 66%

FFY 2007- Third Year of data: 92%

FFY 2008- Fourth Year of data: 95%

FFY 2009- Fifth Year of data: 97%

FFY 2010- Sixth Year of data: 98%

FFY	Measurable and Rigorous Target
FFY 2010	100%

FFY	Actual Target Data for FFY 2010
FFY 2010	98%

Describe the method used to collect data, and if the data are from monitoring, describe the procedures used to select LEAs for monitoring. If data are from a State database, include data for the entire reporting year (July 1, 2010 – June 30, 2011).

The NHDOE collected data from each district in the state to determine compliance with this indicator. Data were collected for this indicator through a desk audit monitoring process, as the data required for this indicator were only partially available through the State database known as NHSEIS. Data were collected on all children who were served in Part C and referred to Part B for eligibility determination from the time period of July 1 – October 31, 2010.

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For the desk audit monitoring process, districts were required to submit data to the NHDOE in an Excel workbook template. Data elements on the workbook demonstrated compliance with the measurement and allowed the district to provide evidence when parent refusal to provide consent caused delays in evaluation or initial services or to whom exceptions under 34 CFR §300.301(d) applied. In order to ensure data quality the NHDOE verified data in NHSEIS. In addition, SPECT (Supporting Successful Early Childhood Transitions) staff conducted onsite reviews of files, policies and procedures as needed. This is the same process that was used to report in the FFY 2009 APR.

Actual State Data (Numbers)

a. # of children who have been served in Part C and referred to Part B for Part B eligibility determination.	269
b. # of those referred determined to be NOT eligible and whose eligibility was determined prior to third birthday	36
c. # of those found eligible who have an IEP developed and implemented by their third birthdays	214
d. # for whom parent refusals to provide consent caused delays in evaluation or initial services or to whom exceptions under 34 CFR §300.301(d) applied.	11
e. # of children who were referred to Part C less than 90 days before their third birthdays.	3
# in a but not in b, c, d, or e.	5
Percent of children referred by Part C prior to age 3 who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays Percent = $[(c) / (a-b-d-e)] * 100$	98%

Account for Children Included in a, but not in b, c, d, or e:

There were 5 children who had been served in Part C and referred to Part B for Part B eligibility determination who were not in b, c, d, or e above. These children were referred to 4 NH districts in 2010-2011.

Indicate the range of days beyond the third birthday and the reasons for the delays:

Range of days beyond third birthday	1-15 days	16-30 days	31-45 days	46-60 days	>60 days	Total
# of children with delays	2	0	2	0	1	5

Reasons for delays were reported by districts as: IEP meeting scheduled less than 14 day prior to 3rd birthday and parents took the full 14 days or longer to consider the IEP, late referrals to Part B from Part C, issue with online data system delayed transfer of data and district did not know that they should move

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ahead with the process using paper. SSECT, as directed by the NHDOE, uses information root cause of noncompliance to provide customized technical assistance to districts.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010:

Note: The NHDOE reports improvement activities as completed or not completed based on the expectations for the activity for the reporting period. Even though an activity may be reported as completed for the reporting period, the activity may be ongoing and continue in the next year.

NH SPP Improvement Activity 1: Completed

The NHDOE/NHDHHS Policy Manual, Transition from Family-Centered Early Supports and Services: A Guide for Families and Staff was provided to ESS providers, families and school districts to support the transition process consistent with IDEA, federal Part B regulations, and NH laws/rules. The NHDOE and the lead agency for Part C (NH Department of Health and Human Services or NHDHHS) gathered input from Part C, Part B, and families. This input has been integrated in to a full working draft of the updated policy manual. The manual was finalized Summer 2011.

NH SPP Improvement Activity 2: Completed

The NHDOE conducted a desk audit monitoring process for Indicator 12 for all NH districts responsible for preschool special education. Data were reviewed for compliance with this indicator and other related requirements relative to early transitions. Any noncompliance identified through this process was corrected as soon as possible but no later than one year from the date of identification. Data on this has been included in Indicator 15.

NH SPP Improvement Activity 3: Completed

The NHDOE (619) funded the Supporting Successful Early Childhood Transitions (SSECT) project to address early transitions as well as special education child find for toddlers and preschool children with disabilities. SSECT staff provided technical assistance to parents, early intervention providers, and school personnel around transition requirements and quality practices. SSECT staff also provided ongoing feedback to the NHDOE regarding barriers and successes within local districts.

SSECT coordinated multiple focus groups and other opportunities for ESS and Preschool Special Education Coordinators/Administrators to provide recommendations to the Part C Office to assist them in addressing the new OSEP requirement for states to define a process for determining a child is "potentially eligible" for special education. SSECT staff then worked with NH DOE (619) and NH Part C as well as North East Regional Resource Center (NERRC) to review OSEP requirements, the stakeholders' recommendations and finalize NH's process for determining a child who is "potentially eligible."

SSECT has provided intensive supports to assist with the implementation of regional Interagency Agreements between early intervention and preschool special education. During 2010-2011 SSECT supported:

- The implementation of regional interagency agreements in each of the 10 regions in the state, including intensive review of district policies and procedures, and collaborative problem-solving around systems issues with early intervention and districts. This includes a review to ensure the agreement is consistent with the NH Rules for the Education of Children with Disabilities, ED 1105.04.
- SSECT has worked closely with the NHDOE to identify and provide technical assistance to districts with ongoing barriers to smooth transitions. SSECT assisted districts to develop policies and procedures to ensure that districts are implementing IDEA.
- SSECT has provided training and technical assistance to early intervention and preschool special education on NH's process for determining a child who is "potentially eligible" and assisting in the amendment of local policies and procedures to include new requirements.

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In addition, SSECT has developed an on-line training called *Who's Doing What in Early Childhood Transitions: A Training for Professionals*. This training is currently being piloted and will be available to programs and school districts at the beginning of the 2011-2012 school year.

NH SPP Improvement Activity 4: Completed

The NHDOE considered the use of other state and federal resources to support improvement activities, timelines and resources for this indicator. It was determined that the support for SSECT was having a powerful impact and that the resources were meeting the state and district's needs. In addition, SSECT secured Part C ARRA funds to promote quality and compliant transitions. Part C ARRA funds enhanced the work funded by NH DOE (619) and allowed the project to take the lead of facilitating the potentially eligible for special education stakeholder input process, the drafting of the policy manual, and the on-line transition training.

NH SPP Improvement Activity 5: Completed

The NHDOE published District Data Profiles comparing each district to state targets in the SPP for this indicator. This was published on the state website and disseminated broadly to the media and key stakeholder groups such as the NH State Advisory Committee on the Education of Students/Children with Disabilities (SAC), the NH Parent Information Center (PTI), and the NH Association of Special Education Administrators.

NH SPP Improvement Activity 6: Completed

The NHDOE, with broad stakeholder input, reviewed and amended as necessary, the improvement activities, timelines, and resources, to be submitted in the State Performance Plan on February 1, 2012 including adding 2 years of improvement activities to the extended SPP.

Explanation of Progress or Slippage

The State did not meet the target of 100% compliance with this indicator.

State Data: 98% Target: 100%

The NHDOE demonstrated progress in this indicator of 1 percentage point from the FFY 2009 APR (from 97% compliance to 98% compliance). These data demonstrate continued substantial compliance for purposes of OSEP determinations. Progress on this indicator has increased 39 percentage points from FFY 2004 when baseline was established at 59% compliance. This progress may be attributed in part to the work of the Supporting Successful Early Childhood Transition project which is funded by IDEA 619 funds. In addition, NH adopted new rules that require districts to have a written transition process and a Memorandum of Agreement with the local early intervention providers. The NHDOE has also benefited from support from the Data Accountability Center to ensure the quality and completeness of the data. Since the State did not report 100% compliance in the FFY 2010 APR, the NHDOE reviewed the improvement activities. Based on the consistent improvement in results, the high level of compliance and the timely correction of noncompliance, the NHDOE has determined that it is not necessary to revise the improvement activities.

Correction of FFY 2009 Findings of Noncompliance (if State reported less than 100% compliance in its FFY 2009 APR):

Level of compliance (actual target data) State reported for FFY 2009 for this indicator: 97%.
Written findings of noncompliance based on the FFY 2009 data were made in FFY 10. The NHDOE will report on the correction of findings made based on FFY 2009 data in the FFY 2011 APR, due February 1, 2013.

Level of compliance (actual target data) State reported for FFY 2008 for this indicator: 95%.

In FFY 2009 the NHDOE made written findings of noncompliance relative to Indicator 12 based on FFY 2008 data. The level of compliance for FFY 2008 was 95%. The NHDOE collected a full year of data through a monitoring desk audit process from each district for this for this indicator for the FFY 2008 APR. There were 21 findings noncompliance issued in FFY 2009 based on these data.

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1. Number of findings of noncompliance the State made during FFY 2009 based on the FFY 2008 data	21
2. Number of FFY 2009 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	21
3. Number of FFY 2009 findings <u>not</u> verified as corrected within one year [(1) minus (2)]	0

Verification of Correction (either timely or subsequent) and Specific Actions Taken to Verify Correction of Findings Identified in FFY 2009:

In FFY 2009, the NHDOE made findings of noncompliance based on FFY 2008 data. For each finding, the NHDOE verified the correction of noncompliance, consistent with OSEP Memo 09-02, as follows:

(1) The NHDOE verified that each district was correctly implementing 34 CFR §300.124(b), (i.e., achieved 100% compliance) based on a review of data subsequently collected through a desk audit monitoring process. During the correction period, SSECT reviewed local policies and procedures and supported districts with accurate data collection and entry in order to ensure districts were providing timely and quality transitions.

(2) Prior to issuing written findings of noncompliance, the NHDOE, through a data review, verified that each district had developed and implemented the IEP, although late, for any child for whom implementation of the IEP was not timely, unless the child was no longer within the jurisdiction of the LEA. Therefore, the NHDOE has verified that, for each of these individual cases, the district had completed the required action, although late, unless the child was no longer within the jurisdiction of the LEA, prior to the identification of findings, as reported in the FFY 2009 APR.

These findings reflect all noncompliance identified with this indicator through monitoring and data collections and written findings were made consistent with OSEP Memorandum 09-02 that identified the LEAs where noncompliance occurred and their levels of noncompliance and included the regulatory citations. All noncompliant practices were addressed through root cause analyses and improvement activities. Policies and procedures were revised as necessary.

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Additional Information Required by the OSEP APR Response Table for this Indicator (if applicable):

Statement from the Response Table	State's Response
OSEP appreciates the State's efforts and looks forward to reviewing in the FFY 2010 APR, due February 1, 2012, the State's data demonstrating that it is in compliance with the early childhood transition requirements in 34 CFR §300.124(b). Because the State reported less than 100% compliance for FFY 2009, the State must report on the status of correction of noncompliance reflected in the FFY 2009 data the State reported for this indicator.	The NHDOE reported on the status of correction of noncompliance for FFY 2009 in Indicator B-12, section: "Correction of FFY 2009 Findings of Noncompliance (if the State reported less than 100% compliance in its FFY 2009 APR)"
When reporting on the correction of noncompliance, the State must report, in its FFY 2010 APR, that it has verified that each LEA with noncompliance reflected in the data the State reported for this indicator: (1) is correctly implementing 34 CFR§300.124(b) (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has developed and implemented the IEP, although late, for any child for whom implementation of the IEP was not timely, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2010 APR, the State must describe the specific actions that were taken to verify the correction.	The NHDOE has addressed this in the section "Verification of Correction (either timely or subsequent)"
If the State does not report 100% compliance in the FFY 2010 APR, the State must review its improvement activities and revise them, if necessary.	The NHDOE has addressed this under <i>"Explanation of Progress and Slippage"</i>

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011 (if applicable):

There were no revisions to the SPP for this indicator.

Overview of the Annual Performance Report Development:

The development of the NH Part B State Annual Performance Report (APR) for FFY 2010 is described in the Overview section of the APR. The NHDOE has elected to use the OSEP Optional template for this Indicator.

Stakeholder Input

The NHDOE has been working with a variety of stakeholders to implement the plan developed at the NSTTAC Conference.

Technical Assistance

The NHDOE requested technical assistance from Sara Doutre, Susan Marks and Karen Mikkelsen, NERRC via webinar for further clarification on identification and correction on non-compliance and correspondence with districts on non-compliance instances for Indicator 13 as well as other compliance indicators.

NH sent a team to the National Secondary Transition Technical Assistance Center (NSTTAC) sponsored Secondary Transition State Planning Institute Conference held in Charlotte, NC in May 2010. This team attended conference sessions to gather information for the early development of our expanded Indicator 13 compliance review process. The NHDOE participates in various OSEP and NSTTAC opportunities to better understand transitions and postsecondary issues. The NHDOE staff attended the OSEP Mega conference in August 2010 and participated in workshops that supported our understanding of Indicator 13 requirements and provide insight into activities designed to improve our performance for Indicator 13.

The NHDOE used the NSTTAC checklist to determine compliance with this indicator.

Monitoring Priority: Effective General Supervision Part B / Effective Transition

Indicator 13: Percent of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student's transition services needs. There also must be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority.

(20 U.S.C. 1416(a)(3)(B))

Measurement:

Percent = [(# of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student's transition services needs. There also must be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority) divided by the (# of youth with an IEP age 16 and above)] times 100.

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Overview of FFY Data:

FFY 2009 – Baseline data: 47%

FFY 2010 – First Year of data: 50.9%

Actual Target Data for FFY 2010:

FFY	Measurable and Rigorous Target
FFY 2010	100%

FFY	Target Data for FFY 2010
FFY 2010	50.9%

Twenty-two districts, at 10 student files each, were monitored during 2010-2011:

Year	Total number of youth aged 16 and above with an IEP	Total number of youth aged 16 and above with an IEP that meets the requirements	Percent of youth aged 16 and above with an IEP that meets the requirements
FFY 2010 (2010-2011)	220	112	50.9%

Describe the process for selecting LEAs for Monitoring:

Previously the NHDOE monitored districts for Indicator 13 through the NHDOE Focus Monitoring process (see Indicator #15). In order to monitor and publically report on all districts in NH within the timeframe of the SPP, the NHDOE scaled up the monitoring process to include more districts each year and to specifically address the secondary transition requirements. The NHDOE elected not to have districts complete a self-assessment but instead to conduct on-site intensive reviews of student files using the NSTTAC checklist with trained reviewers

Effective 2010-2011, the NHDOE had two methods to monitor for Indicator 13; the Focused Monitoring process and an onsite file review in selected districts. The individuals conducting monitoring for both methods have received training to provide consistency regardless if the monitoring is Focused Monitoring or onsite file review. There were 22 school districts scheduled to be monitored during 2010-2011, who were selected because they were the only remaining school districts who had not been monitored for this Indicator in the previous SPP years. Only 2 of those districts were also selected to participate in Focused Monitoring. For those 2 districts this review was imbedded in the IEP review process. For the 20 remaining districts, the onsite file review for monitoring occurred by NHDOE staff, Technical Assistance Consultants (TACs), and/or qualified reviewers trained by the NHDOE. These remaining districts were notified, in advance, that the NHDOE would be conducting a compliance review related to B13 and there were professional development opportunities available for secondary transition, writing measurable post-secondary goals, etc. made available at no-cost. Districts were encouraged to take advantage of trainings offered at the Department and/or to have Technical Assistance Consultants come to their districts to provide training to them.

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Districts are selected for focused monitoring based on a key performance indicator (the achievement gap in statewide assessment between students with disabilities and students without disabilities). Private special education schools are monitored on a cyclical basis using a case study model. Youth with IEPs aged 16 and above that were placed by the IEP team in the selected private schools were included in the review. Any noncompliance identified in the private school was attributed to the liable district. Additional districts are selected for review specifically for monitoring.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred in FFY 2010:

Note: The NHDOE reports improvement activities as completed or not completed based on the expectations for the activity for the reporting period. Even though an activity may be reported as completed for the reporting period, the activity may be ongoing and continue in the next year.

NH SPP Improvement Activity 1: Completed

The NHDOE reviewed our postsecondary goals and transitions data collection process with stakeholder input, as well as guidance from NSTTAC and OSEP. NHDOE moved from using only the Focused Monitoring (FM) process for Indicator 13 compliance review, to using both an FM process and an onsite file review process. Beginning with the 2011-2012 school year the NHDOE will no longer use the FM process for Indicator 13 compliance review, but will solely utilize an onsite monitoring review process. This will ensure consistency with NH's review process, data entry and reporting processes, as well as NH school district understanding and expectations with regard to the overall process.

NH SPP Improvement Activity 2: Completed

The NHDOE provided technical assistance to school districts in two ways: 1) technical assistance through direct, onsite work sessions at NH high schools, as well as state-wide trainings offered at no cost to all NH school district personnel. Through the NHDOE's Technical Assistance Consultants (TAC) project, during the 2010-2011 school year, ongoing technical assistance was provided to 15 school districts in the area of understanding the requirements of and how to be in compliance for Indicator 13; writing measurable post-secondary goals; writing annual IEP goals that will reasonably enable the student to meet their transition needs; understanding, using, and documenting formal and informal transition assessments; understanding what transition services a student might need based on their disability(s) and their post-secondary goal, and; best practices in transition planning and IEP plan writing. There were 2 statewide trainings made available to the entire state in area of Indicator 13 compliance and the review process. These trainings were identical to the 3 trainings that NHDOE Indicator 13 reviewers received. The intent was and is for the Indicator 13 review process to be transparent and clear to all district personnel involved in secondary transitioning for student with disabilities.

NH SPP Improvement Activity 3: Completed

The NHDOE provided 2 statewide trainings to LEAs on Indicator 13 and the review process during the 2010-2011 school year. The NHDOE offered 4 statewide trainings in the same area during the latter months of 2011.

NH SPP Improvement Activity 4: Completed

The NHDOE collaborated with NH Transition Community of Practice (CoP) to create best practices within the transition services and other grant focused programs, such as NH's APEX III project, NH RESPONDS project, and the RENEW project. Through this collaboration the NH Transition CoP held their fifth annual transition summit, as well as a transition series of workshops and webinars that ran throughout the 2010-2011 school year and are currently under way during the 2011-2012 school year. Over 240 people attended the Transition Summit, where there were multiple sessions occurring throughout the day in the areas of: parent involvement, student led transition planning, youth engagement, understanding IDEA and NH regulations for secondary transition, etc.

NH SPP Improvement Activity 5: Completed

The NHDOE continued to use NSTTAC to guide the NHDOEs work on the process and the collection of data for this Indicator. NSTTAC's website and resources are utilized throughout the year in the technical assistance provided by the NHDOE to school districts, including NH's guidance document for compliance

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and understanding the review process for Indicator 13 that is maintained on the NHDOE's website for school districts use. NH has modeled its compliance and transition IEP writing based on NSTTAC's guidance.

NH SPP Improvement Activity 6: NEW

NHDOE released an RFP during the winter of 2011 for an Indicator 13 Coordinator who was contracted with beginning on June 1, 2011. The Indicator 13 Coordinator provides onsite school district technical assistance and statewide trainings in the area of Indicator 13 compliance. There have been four statewide trainings during the end months of 2011. The Indicator 13 Coordinator also coordinates the onsite monitoring visits with each NH high school who is either in the first year of monitoring for this indicator or in their second year of monitoring due to noncompliance found in their first year of monitoring. The Indicator 13 Coordinator also serves as a reviewer for onsite monitoring visits, is a member of the NH Transition CoP, attends the NSTTAC annual conference, and any other NHDOE assigned task related to secondary transition for students with disabilities.

Explanation of Progress or Slippage

The NHDOE did not meet the target of 100% for 2010-2011 by 49.1% percentage points.

State Data: 50.9% Target: 100%

The NHDOE demonstrated progress in this indicator of 3.9 percentage points from the previous FFY 2009 SPP Baseline data year (from a compliance rate of 47% to 50.9%). While these data do not show significant progress, they represent districts that had not been monitored for this indicator in the previous years of the SPP. The NHDOE has instituted a comprehensive review process for this indicator and has developed key resources and technical assistance to support districts with compliance http://www.education.nh.gov/instruction/special_ed/sec_trans.htm.

Correction of FFY 2009 Findings of Noncompliance:

Level of compliance (actual target data) State reported for FFY 2009 for this indicator: 47%

1. Number of findings of noncompliance the State made during FFY 2009 (the period from July 1, 2009 through June 30, 2010)	19
2. Number of FFY 2009 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	19
3. Number of FFY 2009 findings <u>not</u> verified as corrected within one year [(1) minus (2)]	0

Verification of Correction (either timely or subsequent):

The NHDOE utilized the Focused Monitoring (FM) Process during the 2010-2011 school year to verify that LEAs found in noncompliance during the 2009-2010 school year: 1) were correctly implementing IDEA regulations based on a review of updated data collected through on-site monitoring in the FM process; and 2) had corrected each individual case of noncompliance, unless the child was no longer within the jurisdiction of the LEA, consistent with OSEP Memorandum 09-02.

Specifically, districts with child-specific noncompliance provided the FM team with documentation (meeting minutes and the individual child's updated IEP) within 60 days of the identification of the finding to determine if the individual case of noncompliance was corrected, unless the child was no longer within the jurisdiction of the LEA. The FM team also conducted a follow up onsite visit to each district with a finding of noncompliance to review subsequent data (student files) to ensure that the LEA was correctly implementing the IDEA regulations related to this indicator. In each of the 19 instances of child-specific noncompliance, the evidence reviewed was verified by the NHDOE to be corrected. After the child-

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specific noncompliance had been verified to be corrected, the NHDOE, through the FM process, reviewed other student's IEPs to ensure that the districts where noncompliance had been found were correctly implementing IDEA regulations. The NHDOE found no more instances of noncompliance in the second review of sample IEPs in the districts where the original child-specific noncompliance had been found.

Additional information required by OSEP APR Response Table for the indicator:

Statement from Response Table	State's Response
Although OSEP did not consider data for Indicator 13 in its determinations for FFY 2009, OSEP is concerned about the State's very low FFY 2009 data (below 75%) for this indicator. In 2012, OSEP will consider the State's FFY 2010 data for Indicator 13 in determinations.	The NHDOE recognizes the low performance with this indicator. The NHDOE has instituted a rigorous and comprehensive process to identify noncompliance, provide technical assistance (resources, materials and personnel) and established a process for ensuring timely verification of correction of noncompliance. The NHDOE will continue to work towards compliance for this indicator.
The State must demonstrate, in the FFY 2010 APR, due February 1, 2012, that the State is in compliance with the secondary transition requirements in 34 CFR §§ 300.320(b) and 300.321(b). Because the State reported less than 100% compliance for FFY 2009, the State must report on the status of correction of noncompliance reflected in the data the State reported for this indicator.	The NHDOE reported on the status of correction of noncompliance for FFY 2009 in the section: Correction of FFY 2009 Findings of Noncompliance.
When reporting on the correction of noncompliance, the State must report, in its FFY 2010 APR, that it has verified that each LEA with noncompliance reflected in the FFY 2009 data the State reported for this indicator: (1) is correctly implementing 34 CFR §§ 300.320(b) and 300.321(b)(i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2010 APR, the State must describe the specific actions that were taken to verify correction.	The NHDOE has reported on this in the section: Verification of Correction (either timely or subsequent).
If the State does not report 100% compliance in the FFY 2010 APR, the State must review its improvement activities and revise them, if necessary.	The NHDOE has reviewed the improvement activities and revised them as necessary.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines /
Resources for FFY 2011**

NH SPP Improvement Activity 6 was added to this year's submission of the APR. This is a new activity. The decision of the NHDOE to contract with an Indicator 13 Coordinator was a result of the decision of the NHDOE to go to an onsite review process for this indicator that is separate from the Focused Monitoring Process. The NHDOE also made the decision to review more files per district/school that are scheduled to be reviewed for this indicator annually than in years past. Therefore, more time and resources must be dedicated to meeting 100% compliance for Indicator 13.

Overview of the Annual Performance Report Development:

The development of the NH Part B State Annual Performance Report (APR) for FFY 2010 is described in the Overview section of the APR.

Stakeholder Input

On November 29, 2010, The NHDOE brought together various stakeholders including representatives from LEAs, education and parent organizations, transition projects in the state for an Indicator 14 Stakeholder Input meeting. At this meeting, an explanation of Indicator 14 was provided including survey process, measurement, and targets and discussion of possible improvement activities for this indicator. Suggestions received from this stakeholder meeting were incorporated into the 2010-11 administration of the survey.

Technical Assistance

The NHDOE participated in National Post-School Outcomes Center (NPSO) sponsored community of practice calls and documents offering guidance on the development and reporting of this indicator as well as attended NPSO presentations at National Conferences.

Monitoring Priority: Effective General Supervision Part B / Effective Transition

Indicator 14: Percent of youth who are no longer in secondary school, had IEPs in effect at the time they left school, and were:

- A. Enrolled in higher education within one year of leaving high school.
- B. Enrolled in higher education or competitively employed within one year of leaving high school.
- C. Enrolled in higher education or in some other postsecondary education or training program; or competitively employed or in some other employment within one year of leaving high school.

(20 U.S.C. 1416(a)(3)(B))

Measurement:

A. Percent enrolled in higher education = [(# of youth who are no longer in secondary school, had IEPs in effect at the time they left school and were enrolled in higher education within one year of leaving high school) divided by the (# of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school)] times 100.

B. Percent enrolled in higher education or competitively employed within one year of leaving high school = [(# of youth who are no longer in secondary school, had IEPs in effect at the time they left school and were enrolled in higher education or competitively employed within one year of leaving high school) divided by the (# of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school)] times 100.

C. Percent enrolled in higher education, or in some other postsecondary education or training program; or competitively employed or in some other employment = [(# of youth who are no longer in secondary school, had IEPs in effect at the time they left school and were enrolled in higher education, or in some other postsecondary education or training program; or competitively employed or in some other employment) divided by the (# of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school)] times 100.

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Overview of FFY Data	A. youth enrolled in higher education, within one year of leaving high school.	B. youth enrolled in higher education or competitively employed, within one year of leaving high school.	C. youth enrolled in higher education or in some other postsecondary education or training program; or competitively employed or in some other employment, within one year of leaving high school.
FFY 2009 SPP – Baseline Year:	43.2%	70.2%	82.6%
FFY 2010 APR – First year of Data:	54.4%	75.7%	87.9%

FFY	Measurable and Rigorous Target
2010 (2010-2011)	<p>A. 43.2% of youth who had IEPs, are no longer in secondary school have been enrolled in higher education, within one year of leaving high school.</p> <p>B. 70.2% of youth who had IEPs, are no longer in secondary school have been enrolled in higher education or competitively employed, within one year of leaving high school.</p> <p>C. 82.6% of youth who had IEPs, are no longer in secondary school have been enrolled in higher education or in some other postsecondary education or training program; or competitively employed or in some other employment, within one year of leaving high school.</p>

Actual Target Data for FFY 2010 (reporting period July 1, 2010 – June 30, 2011): As required in the NH Part B FFY 2009 SPP/APR Response Table, the NHDOE has reported the actual target data for FFY 2010 in the FFY 2010 APR, due February 1, 2010.

Calculation and Actual Numbers Used

To calculate the indicator 14 measurements, the following calculation was used (see Figure 14.1 below for visual of this calculation):

A = #1 divided by total respondents

B = #1 + #2 divided by the total respondents

C = #1 + #2 + #3 + #4 divided by the total respondents

There were **305 total respondents** that completed and returned the post school outcomes census survey. Each leaver is counted only once in the highest category.

1. # of respondent leavers enrolled in “higher education” = 166
2. # of respondent leavers in “competitive employment” (and not counted in 1 above) = 65
3. # of respondent leavers enrolled in “some other postsecondary education or training” (and not counted in 1 or 2 above) = 4
4. # of respondent leavers enrolled in “some other employment” (and not counted in 1, 2 or 3 above) = 33
5. # of respondent leavers not counted in 1 – 4 above = 37

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A. Percent enrolled in higher education = [(# of youth who are no longer in secondary school, had IEPs in effect at the time they left school and were enrolled in higher education within one year of leaving high school) divided by the (# of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school)] times 100.

$$A. 54.4\% = [(166) / (305)] \times 100$$

$$A. \% = [(#1) / (\text{total respondents})] \times 100$$

B. Percent enrolled in higher education or competitively employed within one year of leaving high school = [(# of youth who are no longer in secondary school, had IEPs in effect at the time they left school and were enrolled in higher education or competitively employed within one year of leaving high school) divided by the (# of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school)] times 100.

$$B. 75.7\% = [(166+65) / (305)] \times 100$$

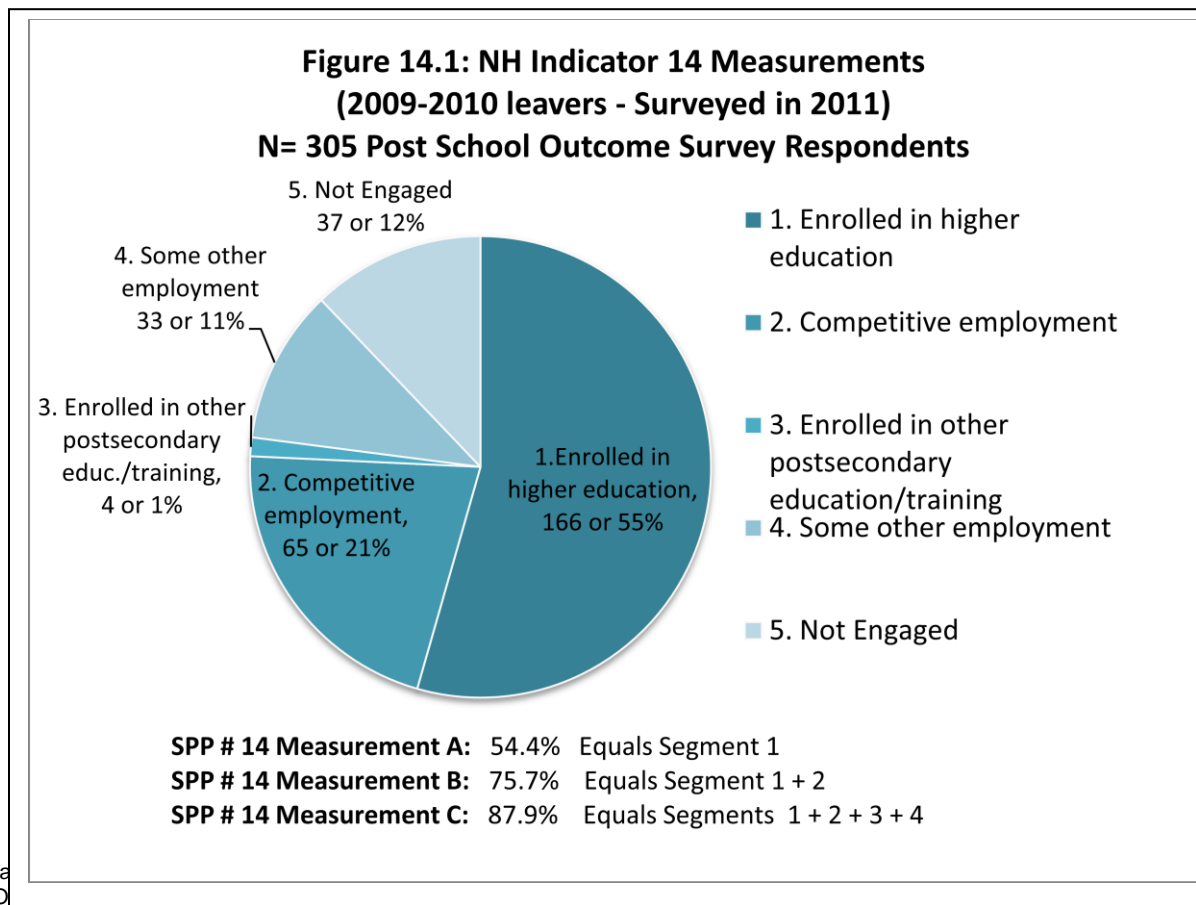
$$B. \% = [(#1 + #2) / (\text{total respondents})] \times 100$$

C. Percent enrolled in higher education, or in some other postsecondary education or training program; or competitively employed or in some other employment = [(# of youth who are no longer in secondary school, had IEPs in effect at the time they left school and were enrolled in higher education, or in some other postsecondary education or training program; or competitively employed or in some other employment) divided by the (# of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school)] times 100.

$$C. 87.9\% = [(166+65+4+33) / (305)] \times 100$$

$$C. \% = [(#1 + #2 + #3 + #4) / (\text{total respondents})] \times 100$$

Figure 14.1: Pie Chart of State's Post School Outcomes for 2009-2010 leavers, shows the outcome categories, include the not engaged category, and the percentage of leavers in each outcome category. Below the chart are the percentages for each measure A, B, and C.



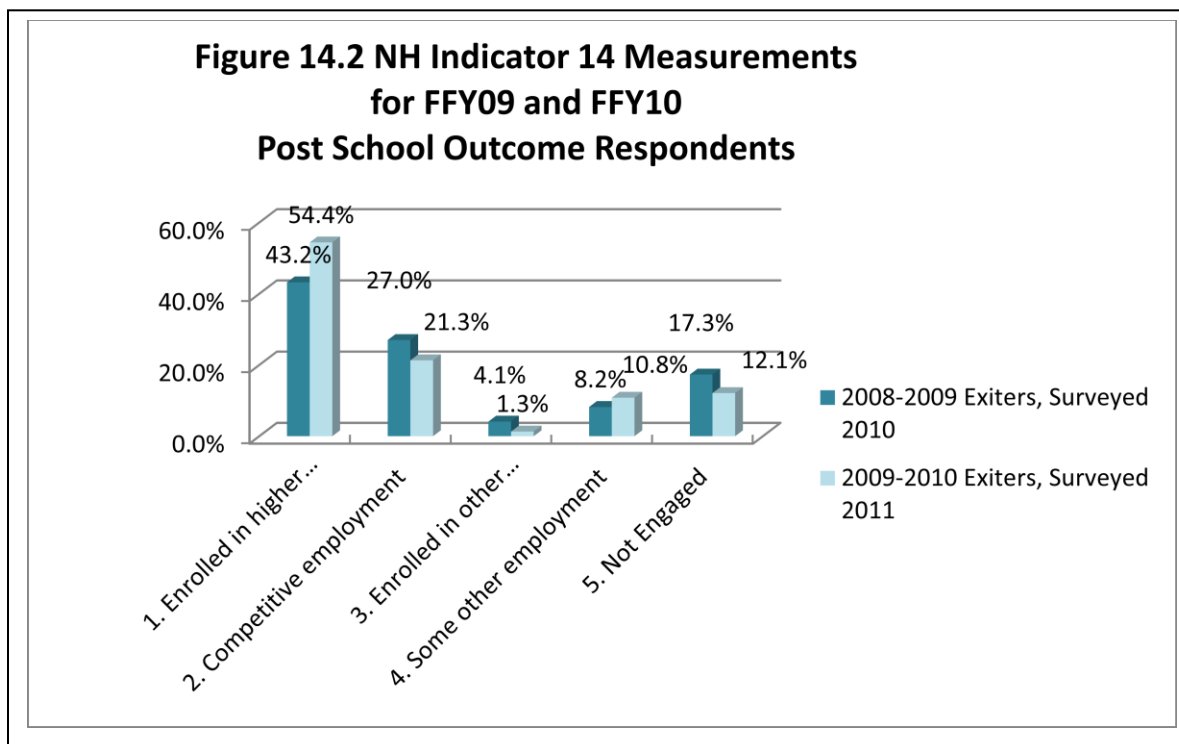


Figure 14.2 above shows Indicator 14 measurements of engagement from post school outcome survey respondents for this year (FFY 10) as compared to last year (FFY 09). There was an increase this year in the percentage of respondents who are enrolled in higher education and some other employment or training. The percentage of respondents who were not engaged decreased as well.

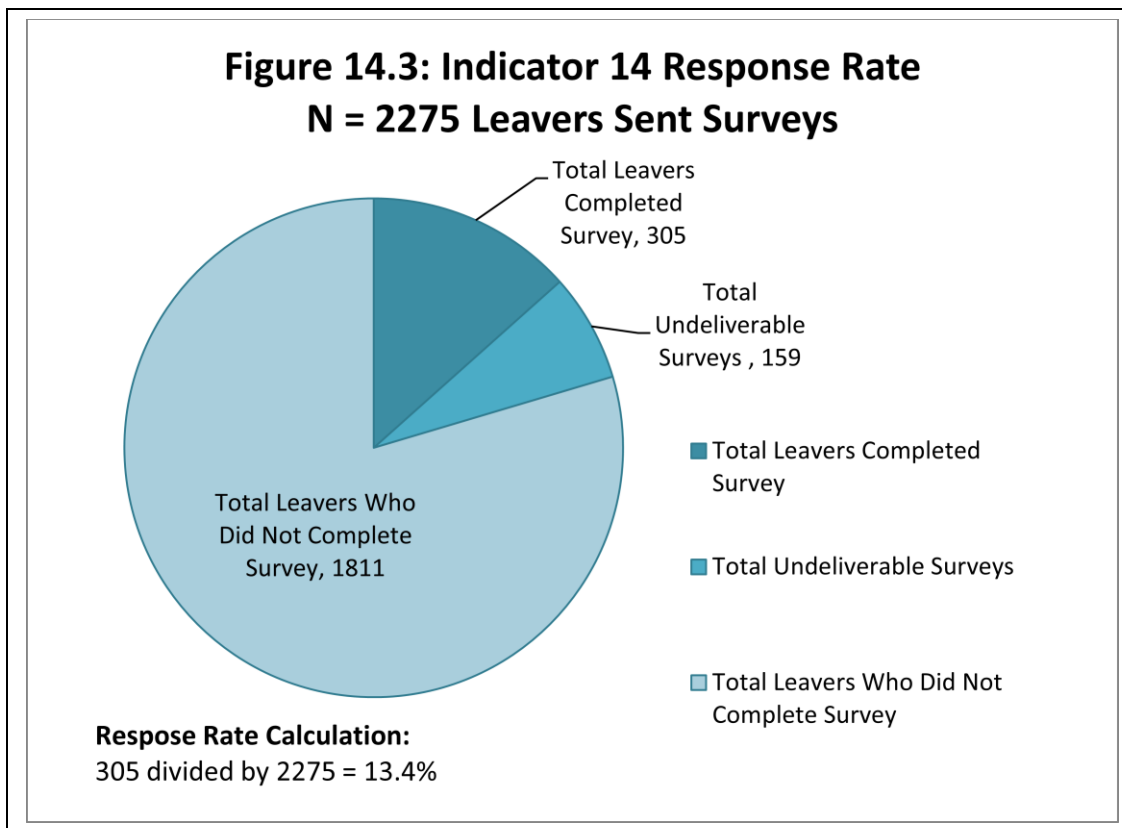
Response Rate and Representativeness

As seen in Table 14.1: Response Rate Calculation and Figure 14.3 Indicator 14 Response Rate, the New Hampshire statewide special education data collection system (NHSEIS) data reported 2,286 Leavers (youth ages 16-22) with an IEP during the 2009-2010 year graduated from high school, received a certificate, dropped out, or reached the maximum age to receive services. These data are the same data used for the Federal Table 4 Exiting Data. These youth were sent surveys in June 2011 to complete and return; within one year of leaving high school. The response rate was $305/2,275 \times 100 = 13.41\%$.

Table 14.1 Response Rate Calculations
(2008-2009 Leavers – surveyed in 2010)

Total Number of Leavers in the state	2,286
- Subtract the number of youth ineligible (those who had returned to school or were deceased)	-11
Total Number of Leavers sent surveys	2,275
Total Number of Leavers who completed the survey	305
Response Rate: $(305/2,275) \times 100$	13.41%

Of the 2,275 leavers contacted, 305 leavers completed the survey. In addition, 159 student surveys were returned by the Post Office to the school districts due to undeliverable addresses and thus never reached the student. As a result of this information, we have included an improvement activity to have school districts review and update their last known student addresses as a means to try to increase our overall response rate.



We used the NPSO Response Calculator (see Tables 14.2 and 14.3) to calculate representativeness of the respondent group on the characteristics of disability type, ethnicity, gender, and dropout in order to determine whether the youth who responded to the survey were similar to, or different from, the total population of youth with an IEP who exited school in 2009-2010.

Table 14.2 Response Rate By Demographics Chart
(2009-2010 Leavers – Surveyed in 2011)

Response Rate is percentage of each targeted disability category that responded to the survey.

	Overall	LD	ED	MR	AO	Female	Minority	ELL	Dropout
Target Leaver Totals	2,275	1,109	324	76	766	786	119	11	251
Response Totals	305	133	29	19	124	124	8	5	11
Response Rate	13.41%	11.99%	8.95%	25.00%	16.19%	15.78%	6.72%	45.45%	4.38%

Table Legend:

- Leavers with Learning Disabilities (LD)
- Leavers with Emotional Disturbance (ED)
- Leavers with Mental Retardation (MR)
- Leavers from all other disability categories (AO)
- Leavers who are English Language Learners (ELL)

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The above Table 14.2 shows that the ED, Minority and Dropouts were under-represented in this survey response. The NHDOE has identified under our new vendor contract for the administration of the Post School Outcomes survey along with Parent Involvement survey a plan to do more awareness marketing and follow up outreach activities with districts and students to try to reach these under-represented populations of ED, Minority and Dropouts next year. See improvement activity 1 below.

MR and ELL were over-represented in this survey response. The overall State ELL population is approximately 2% of New Hampshire's population. Because this population is so small these data should be cautiously interpreted.

Table 14.3 Representativeness Chart

Target Leaver Representation is the percentage of all Leavers within each targeted disability category. Respondent Representation is the percentage of surveys returned from all targeted demographic groups. Difference is the difference between the representation of each targeted group within all leavers and among all returned surveys.

	Overall	LD	ED	MR	AO	Female	Minority	ELL	Dropout
Target Leaver Totals	2,275	1,109	324	76	766	786	119	11	251
Response Totals	305	171	31	19	124	124	8	5	11
Target Leaver Representation		48.75%	14.24%	3.34%	33.67%	34.55%	5.23%	0.48%	11.03%
Respondent Representation		43.61%	9.51%	6.23%	40.66%	40.66%	2.62%	1.64%	3.61%
Difference		-5.14%	-4.73%	2.89%	6.99%	6.11%	-2.61%	1.16%	-7.43%

According to the NPSO Response Calculator differences between the Respondent Group and the Target Leaver Group of +/- 3% are important. Negative differences indicate an under-representativeness of the group and positive differences indicate over-representativeness. In the Response Calculator, **red** is used to indicate a difference exceeding the +/- 3% interval.

The NHDOE will not be specifically addressing the differences of greater than +/- 3% found for the various categories identified for this 2009-2010 year. The NHDOE is cautious to interpret and/or use these results given our low survey response rate during this second year of post school outcomes data collection. Many of our improvement activities for this indicator will be focused on activities that can assist us in improving our response rate.

MR, and Minority and ELL responded to the survey at a rate consistent with their representation in the Total Leaver Group.

- AO and Females were over-represented.
- LD, ED, and Dropouts were under-represented.

Our goals for last year was to work with school districts to ensure accurate and timely entering of exiting students data and maintenance of mailing addresses for students exiting high school. Our data this year shows we accomplished this goal in that districts did reduce the number of surveys returned by the post office as undeliverable from 234 last year to 159 this year.

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Again, the NH DOE has identified under our new vendor contract for the administration of Post School Outcomes survey along with Parent Involvement survey a plan to do more awareness marketing and follow outreach activities with districts and students to try to reach these under-represented populations of ED, Minority and Dropouts next year. See Improvement Activity 1 below. Thus, we will focus on strategies to increase our overall response rate and to reach the under-represented categories of exiters.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010:

Note: The NHDOE reports improvement activities as completed or not completed based on the expectations for the activity for the reporting period. Even though an activity may be reported as completed for the reporting period, the activity may be ongoing and continue in the next year.

Data Collection and Systems Administration Improvement Activities

NH SPP Improvement Activity 1: Completed

The NH Department of Education issued Memo #8 Deadline for Entering Data on Children Exiting Special Education for Reporting Requirements on September 21, 2010. This memo contained detailed instructions, deadlines, and exiting definitions for districts to exit their students from the NH Special Education Information Systems (NHSEIS) in order to be correctly included in the Federal Table 4 exited student report used for Post School Outcome Surveys.

http://www.education.nh.gov/instruction/special_ed/documents/fy11memo8_exitdata.pdf

The NH Department of Education issued Memo #25 Indicator 14 Post School Outcomes Collection on May 10, 2011. This memo to the field contained detailed information about the Indicator 14 Post School Outcomes Survey Collection process.

http://www.education.nh.gov/instruction/special_ed/documents/fy11memo25_indicator14_postschool_outcomes_collection.pdf

The NH Department of Education issued Memo #28 Post School Outcomes Survey (PSOS) Dissemination on June 1, 2011. This memo to the field was sent to districts with copies of the cover letter, NH Post School Outcomes Surveys, and post paid return envelopes for their identified exited students to complete the survey dissemination process.

http://www.education.nh.gov/instruction/special_ed/documents/fy11memo28_post_school_outcomes_survey.pdf

The memos and communication with the school districts to increase understanding of the post school outcome survey process did result in a decrease in the number of surveys returned by the post office as undeliverable from 234 last year to 159 this year. This resulted in districts having more accurate and up to date addresses for students.

In addition, our bureau decided to join efforts around the two SPP survey Indicators; the Parent Involvement Survey – Indicator 8 and the Post School Outcomes Survey – Indicator 14. We chose to put out a joint Request for Proposal for a vendor to administer the two surveys and collect and analyze the data as well as to implement improvement activities for both indicators for the remaining years of the current SPP/APR. Our Parent Involvement survey has always been done by an outside vendor and has had successful results. Given that the survey processes and strategies are very similar the bureau decided it made sense to join these two surveys under one vendor contract for administration and reporting for the FFY 11 and FFY 12 SPP/APR. In particular, our improvement activities plan includes the development and dissemination of survey awareness materials, closer contact with districts on managing student contact information to ensure it is current, and follow up contact to students who have not completed the survey especially from those under-represented groups to improve response rates and representativeness.

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During the Spring 2011, our bureau met with the NHDOE State data team to discuss the possibility of using the National Clearinghouse data on NH students who attended 2 or 4 year post-secondary schools for inclusion in our Indicator 14 reporting. The two teams discussed data definitions, required elements to meet Indicator 14 reporting requirements and the timing of when the report is pulled. We decided to use the FFY 2010 as our test year for correlation of the data and validation of the data for possible reporting in future years in addition to our actual results collected directly from student surveys.

Post School Outcomes Improvement Activities

NH SPP Improvement Activity 2: Completed

The NH DOE examined baseline Indicator 14 data to identify districts with high survey response rates and positive Indicator results in an effort to determine best practices they may have in place that can be replicated in districts in need of improvement. These districts were invited to be part of Indicator 14 stakeholder group meeting on November 29, 2010 to set targets, improvement activities and discuss ways to improve indicator 14 response rates and outcomes. Suggestions from this stakeholder group were incorporated into the Indicator 14 process.

NH SPP Improvement Activity 3: Completed

The NHDOE Technical Assistance Consultants provide technical assistance and training to 11 LEAs, one private special education school, and one public academy upon request or as directed on transition planning, writing measurable goals or to assist with Indicator 13 compliance requirements. Seven out of the 13 trainings were 1.5 - 2 hour one shot trainings. The remaining six trainings were ongoing trainings consisting of between two to four sessions over a period of up to 4 months to ensure changes in practice.

NH SPP Improvement Activity 4: Not completed

States were not required by OSEP to publically report (District Data Profiles) Indicator 14 during the February 1, 2011 SPP/APR reporting. However, 10 of the 22 districts monitored for Indicator 13 compliance between 7/1/10-6/30/11 requested training and TA from our Technical Assistance Consultants on transition planning and Indicator 13. Six of the 10 district that requested training and TA received 100% compliance with Indicator 13 at their District Indicator 13 compliance audit. One other district was in 90% compliance with their Indicator 13 audit.

NH SPP Improvement Activity 5: Completed

The NHDOE provided two half-day trainings to districts on *Compliance in the Area of Secondary Transitions and the 2010-2011 Monitoring Review Process* on October 13, 2010 and December 13, 2010. In particular, districts being monitored for Indicator 13 compliance audit were encouraged to attend these trainings. In addition, a 5-part Transition Series was provided on transition related workshops to district personnel, parents and community members under the APEX III project and the NH RESPONDS grant. The Transition series trainings included: *The Basics of Secondary Transition, The Foundation for a Student-Driven Process: Personal Futures Planning, Assistive Technology and Transition, Think Outside the Box: Student-Centered Educational and Employment Options, and Resource Development: Who Needs to Come to the Table?* There were approximately 60 participants in each session. In addition, the NHDOE has continued to participate in the NH Transition Community of Practice (COP) Coordinating Group and activities of this group. The NH Transition COP activities included the development and implementation of the Annual NH Secondary Transition Summit that was held November 16, 2011 entitled *Navigating Transition: Working With and Within Communities to Improve Student Lives* with 240 participants, including students, parents, teachers, special education administrators, transition coordinators, and vocational rehabilitation counselors. The Summit included a student strand that was planned by NH students with disabilities.

NH Improvement Activity Cluster

Improvement activities listed in Indicator 1, 2, and 13 are also relevant to improvement for this indicator.

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Explanation of Progress or Slippage

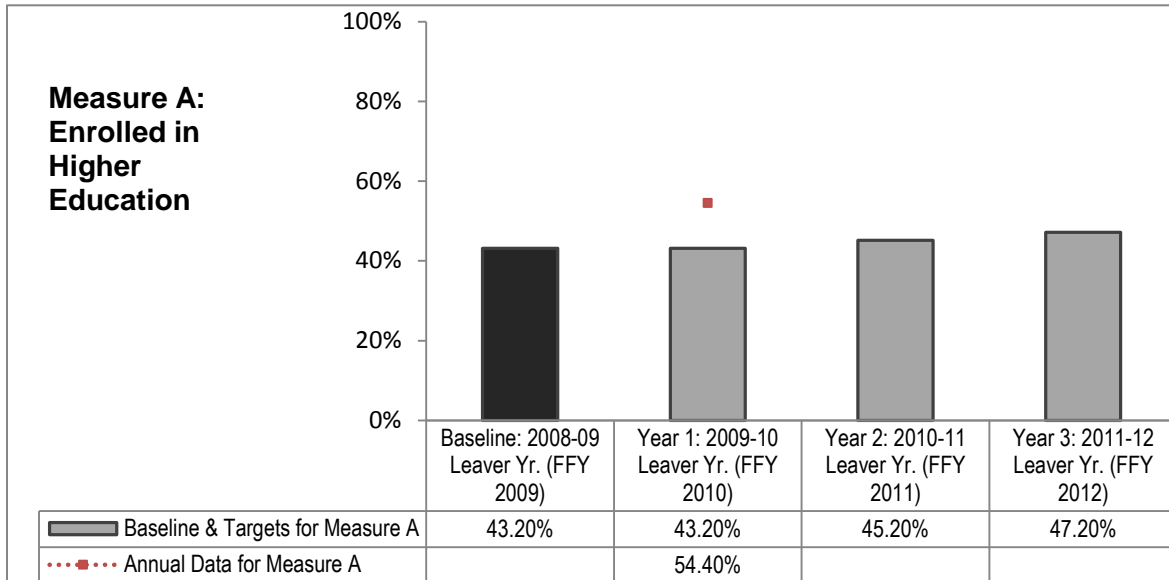
14A. The NHDOE exceeded the target for 2010-2011 for measurement A of this Indicator.

State Actual Data: 54.4%

Target: 43.2%

This represents progress of 11.2 percentage points from the results for measurement A of this indicator last year. (See figure 14.4 Trend Data Display for Measure A below.)

Figure 14.4: Trend Data Display for Measure A



14B. The NHDOE exceeded the target for 2010-2011 for measurement B of this Indicator.

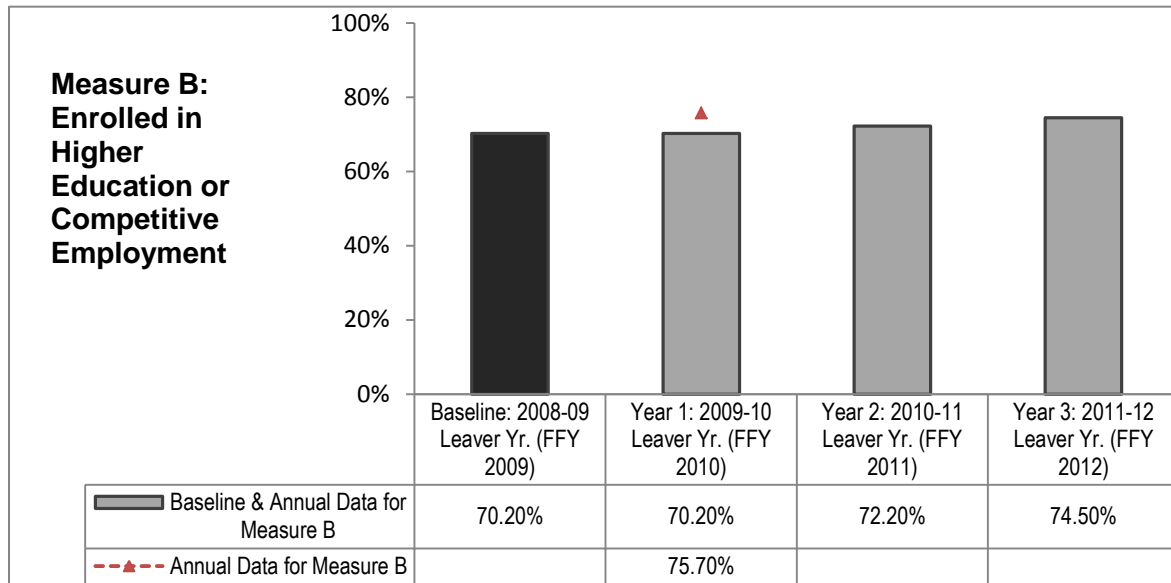
State Actual Data: 75.7%

Target: 70.2%

This represents progress of 5.5 percentage points from the results for measurement B of this indicator last year. (See figure 14.5 Trend Data Display for Measure B below.)

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Figure 14.5: Trend Data Display for Measure B



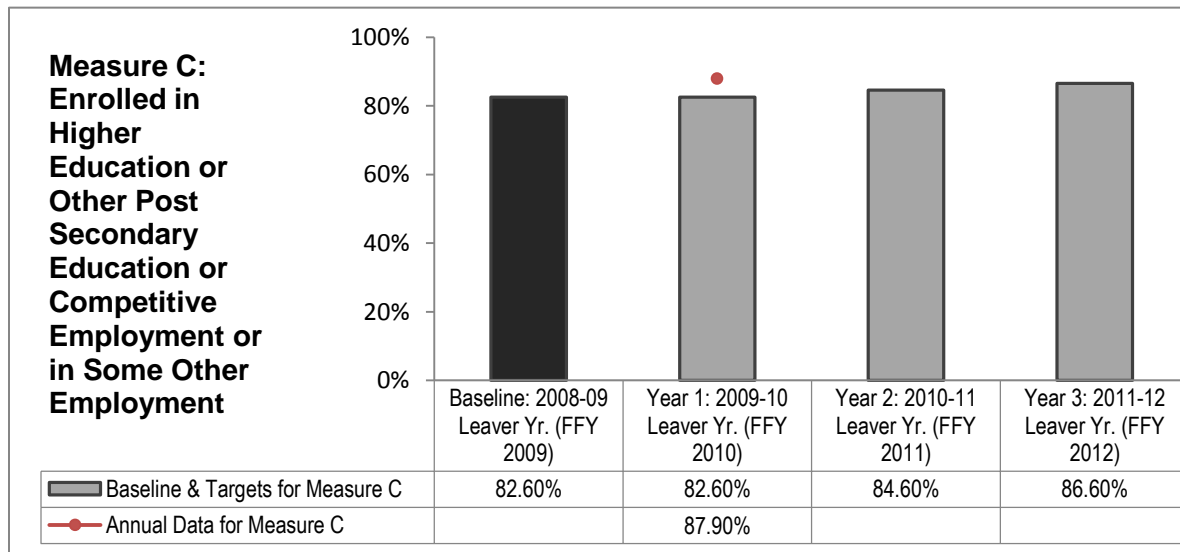
14C. The NHDOE exceeded the target for 2010-2011 for measurement C of this Indicator.

State Actual Data: 87.9%

Target: 82.6%

This represents progress of 5.3 percentage points from the results for measurement C of this indicator last year. (See figure 14.6 Trend Data Display for Measure C below.)

Figure 14.6: Trend Data Display for Measure C



Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011:

There were no revisions to the SPP for this indicator.

Overview of the Annual Performance Report Development:

The development of the NH Part B State Annual Performance Report (APR) for FFY 2010 is described in the Overview section of the APR. The NHDOE has elected to use the OSEP Optional template for this Indicator.

Technical Assistance

In the OSEP letter regarding NH's determination dated June 20, 2011, OSEP notes that Indicator 15 reflects a high level of performance. The NHDOE has been working with the Data Accountability Center (DAC) through the development of the FFY 2007, FFY 2008, FFY 2009 and the FFY 2010 APR. As a result of this technical assistance the NHDOE staff participated in the IDEA Part B Data Collections Online Learning Modules.

The NHDOE continued to seek technical assistance from NERRC through teleconferences to gain a better understanding of the components of this indicator. The NHDOE used the *B15_Optional ARR_Template_FFY2010*, the *Part B Indicator 15 Self-Calculating Worksheet* and the *Frequently Asked Questions Regarding Identification and Correction of Noncompliance and Reporting on Correction in the State Performance Plan(SPP)/Annual Performance Report (APR)* found on the Right Idea website. In addition, the NHDOE used the OSEP Memorandum 09-02: *Reporting on Correction of Noncompliance in the Annual Performance Report Required under Sections 616 and 642 of the IDEA* for detailed information related to reporting on the correction of noncompliance.

Monitoring Priority: Effective General Supervision Part B / General Supervision

Indicator 15: General supervision system (including monitoring, complaints, hearings, etc.) identifies and corrects noncompliance as soon as possible but in no case later than one year from identification.

(20 U.S.C. 1416 (a)(3)(B))

Measurement:

Percent of noncompliance corrected within one year of identification:

- a. # of findings of noncompliance.
- b. # of corrections completed as soon as possible but in no case later than one year from identification.

Percent = [(b) divided by (a)] times 100.

States are required to use the "Indicator 15 Worksheet" to report data for this indicator (see Attachment A).

Overview of FFY Data:

FFY 2004 – Baseline Year: 83%

FFY 2005 – First year of data: 72%

FFY 2006 – Second year of data: 72%

FFY 2007 – Third year of data: 91%

FFY 2008 – Fourth year of data: 96%

FFY 2009 – Fifth year of data: 99.40%

FFY 2010 – Sixth year of data: 96.64%

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FFY	Measurable and Rigorous Target
FFY 2010	100%

FFY	Actual Target Data for FFY 2010
FFY 2010	96.64%

Describe the process for selecting LEAs for Monitoring:

The NHDOE monitors districts through many components of its general supervision system. For this indicator, the NHDOE reported on noncompliance identified in districts through: data reviews, desk audits, onsite monitoring, and focused monitoring. Noncompliance was also identified through complaints and due process hearings. Several APR indicators were monitored in all districts through a desk audit process for compliance.

The NHDOE also monitored approved private special education schools. This monitoring occurs on a cyclical basis. When child specific findings of noncompliance were identified in these approved private special education schools, the finding was made against the LEA responsible for the child.

Districts are selected for focused monitoring based on a key performance indicator. The key performance indicator used in NH is the achievement gap between students with disabilities who score proficient and students without disabilities who score proficient on the statewide assessment. This indicator was selected by a stakeholder group representing various districts and agencies. Districts are divided into six enrollment groups based on the district total student population and then selected based on performance based on the indicator. For additional information on the NHDOE process for selecting LEAs for monitoring, please refer to the NH State Performance Plan.

http://www.education.nh.gov/instruction/special_ed/documents/spp_april_18_2011.pdf

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that Occurred for FFY 2010:

Note: The NHDOE reports improvement activities as completed or not completed based on the expectations for the activity for the reporting period. Even though an activity may be reported as completed for the reporting period, the activity may be ongoing and continue in the next year.

NH SPP Improvement Activity 1: Completed

The NHDOE sought customized technical assistance through Data Accountability Center (DAC) and Northeast Regional Resource Center (NERRC) to assist the State in meeting 100% compliance for this indicator. The NHDOE continued to engage the OSEP funded Data Accountability Center (DAC) and the Northeast Regional Resource Center in onsite, telephone and email technical assistance specific to this indicator. The NHDOE has spent the last year implementing the work plan submitted to the OSEP State Contact for NH. The work plan included policies and procedures to implement the OSEP Memorandum 09-02: *Reporting on Correction of Noncompliance in the Annual Performance Report Required under Sections 616 and 642 of the IDEA*. DAC was onsite at the NHDOE as recently as October 27 and October 28, 2010. The work plan included the following components:

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- Implemented data system management routines that increase the likelihood of timely and accurate data submission (618), including documentation necessary for reporting to be valid, reliable, interpretable, and transparent.
- Continue to refine the collection and correction of noncompliance data as it relates to reporting for this indicator.
- Implement a general supervision system that will track collection of initial monitoring data, follow up correction of noncompliance, and reporting for this indicator.

Consultants from the NHDOE also attended the OSEP sponsored leadership conference in August 2011 for additional technical assistance and resources.

NH SPP Improvement Activity 2: Completed

The NHDOE continued to refine the data collection process for onsite monitoring including: new forms and technical assistance to the onsite team regarding collecting reliable data from multiple sources. The NHDOE continued to implement the Memorandum of Understanding that clarified the roles of the State and the contractor with regard to the oversight of the contractor's findings of noncompliance and the verification of correction, and the mechanism by which SEA personnel make decisions regarding the identification and verification of correction of noncompliance.

NH SPP Improvement Activity 3: Completed

The Focused Monitoring Team implemented a regular status review of districts to periodically connect with the districts to provide technical assistance, verify progress and ensure timely correction. When districts are not able to correct the identified areas of noncompliance within a year, the NHDOE took measures to ensure that the correction and verification of the correction was completed as soon as possible. The NHDOE implemented the Memorandum of Understanding with its contractor for outlining the processes of decision making regarding the identification, and verification of the correction of noncompliance. The NHDOE has implemented procedures for tracking timely correction of both prong 1 and prong 2 of OSEP memo 09-02.

NH SPP Improvement Activity 4: Completed

The NHDOE has provided many opportunities for technical assistance to districts that are found to be in noncompliance. These opportunities have been through phone conversations, person to person and onsite visits. Technical assistance and redirecting funds are enforcement actions for long standing noncompliance.

NH SPP Improvement Activity 5: Completed

The NHDOE provided grants for the 2010-2011 school year for districts who were selected for Focused Monitoring. The grants were provided to assist the districts in their efforts to improve outcomes for students with disabilities.

NH SPP Improvement Activity 6: Completed

The NHDOE provided several guidance memos to LEAs for technical assistance regarding policies for timely correction of noncompliance for Indicator 11, 12 and 13.

Explanation of Progress or Slippage

The NHDOE did not meet the target of 100% for 2010-2011.

State Actual Data: 96.64%

Target: 100%

While the NHDOE did not achieve 100% compliance with this indicator, the NHDOE demonstrated substantial compliance at 96.64%. The NHDOE had slippage in this indicator from the previous 2009 APR with a 2.76 percentage point decrease. Although there was slippage, it should be noted that the all instances of noncompliance, although not timely, were subsequently corrected prior to the submission of this APR. The NHDOE continues to provide continuous professional development opportunities to the field so as to decrease the number of findings of noncompliance.

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Indicator/Indicator Clusters	General Supervision System Components	# of LEAs Issued Findings in FFY 2009 (7/1/09 to 6/30/10)	(a) # of Findings of noncompliance identified in FFY 2009 (7/1/09 to 6/30/10)	(b) # of Findings of noncompliance from (a) for which correction was verified no later than one year from identification
1. Percent of youth with IEPs graduating from high school with a regular diploma. 2. Percent of youth with IEPs dropping out of high school.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other			
14. Percent of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of postsecondary school or training program, or both, within one year of leaving high school.	Dispute Resolution: Complaints, Hearings			
3. Participation and performance of children with disabilities on statewide assessments. 7. Percent of preschool children with IEPs who demonstrated improved outcomes.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other			
	Dispute Resolution: Complaints, Hearings			
4A. Percent of districts identified as having a significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other			

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Indicator/Indicator Clusters	General Supervision System Components	# of LEAs Issued Findings in FFY 2009 (7/1/09 to 6/30/10)	(a) # of Findings of noncompliance identified in FFY 2009 (7/1/09 to 6/30/10)	(b) # of Findings of noncompliance from (a) for which correction was verified no later than one year from identification
4B. Percent of districts that have: (a) a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.	Dispute Resolution: Complaints, Hearings			
5. Percent of children with IEPs aged 6 through 21 - educational placements. 6. Percent of preschool children aged 3 through 5 – early childhood placement.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other			
	Dispute Resolution: Complaints, Hearings	2	2	2
8. Percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other			
	Dispute Resolution: Complaints, Hearings			

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Indicator/Indicator Clusters	General Supervision System Components	# of LEAs Issued Findings in FFY 2009 (7/1/09 to 6/30/10)	(a) # of Findings of noncompliance identified in FFY 2009 (7/1/09 to 6/30/10)	(b) # of Findings of noncompliance from (a) for which correction was verified no later than one year from identification
9. Percent of districts with disproportionate representation of racial and ethnic groups in special education that is the result of inappropriate identification.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other			
10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.	Dispute Resolution: Complaints, Hearings			
11. Percent of children who were evaluated within 60 days of receiving parental consent for initial evaluation or, if the State establishes a timeframe within which the evaluation must be conducted, within that timeframe.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	118	118	112
	Dispute Resolution: Complaints, Hearings			
12. Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	21	21	21
	Dispute Resolution: Complaints, Hearings			

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Indicator/Indicator Clusters	General Supervision System Components	# of LEAs Issued Findings in FFY 2009 (7/1/09 to 6/30/10)	(a) # of Findings of noncompliance identified in FFY 2009 (7/1/09 to 6/30/10)	(b) # of Findings of noncompliance from (a) for which correction was verified no later than one year from identification
13. Percent of youth aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student's transition service needs.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	14	28	28
	Dispute Resolution: Complaints, Hearings			
Other areas of noncompliance: Measurable Goals	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	13	21	20
	Dispute Resolution: Complaints, Hearings			
Other areas of noncompliance: Certified Personnel, Admin/Policy	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	2	2	1

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Indicator/Indicator Clusters	General Supervision System Components	# of LEAs Issued Findings in FFY 2009 (7/1/09 to 6/30/10)	(a) # of Findings of noncompliance identified in FFY 2009 (7/1/09 to 6/30/10)	(b) # of Findings of noncompliance from (a) for which correction was verified no later than one year from identification
	Dispute Resolution: Complaints, Hearings			
Other areas of noncompliance: IEP Process, Service Provision	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	13	25	25
	Dispute Resolution: Complaints, Hearings	35	51	50
Sum the numbers down Column a and Column b			268	259
Percent of noncompliance corrected within one year of identification = (column (b) sum divided by column (a) sum) times 100.			(b) / (a) X 100 =	96.64%

Note: For this indicator, report data on the correction of findings of noncompliance the State identified in FFY 2009 (July 1, 2009 through June 30, 2010) and verified as corrected as soon as possible and in no case later than one year from identification.

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Timely Correction of FFY 2009 Findings of Noncompliance (corrected within one year from identification of the noncompliance):

1. Number of findings of noncompliance the State identified in FFY 2009 (the period from July 1, 2009 through June 30, 2010) (Sum of Column a on the Indicator B15 Worksheet)	268
2. Number of findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding) (Sum of Column b on the Indicator B15 Worksheet)	259
3. Number of findings <u>not</u> verified as corrected within one year [(1) minus (2)]	9

FFY 2009 Findings of Noncompliance Not Timely Corrected (corrected more than one year from identification of the noncompliance and/or Not Corrected):

4. Number of FFY 2009 findings not timely corrected (same as the number from (3) above)	9
5. Number of FFY 2009 findings the State has verified as corrected beyond the one-year timeline ("subsequent correction")	9
6. Number of FFY 2009 findings <u>not</u> yet verified as corrected [(4) minus (5)]	0

Verification of Correction for findings of noncompliance identified in FFY 2009 (either timely or subsequent):

As required by OSEP's June 20, 2011 *NH Part B FFY 2009 SPP/APR Response Table*, NHDOE verified that each LEA with noncompliance identified in FFY 2009: (1) *is correctly implementing the specific regulatory requirements, (i.e., achieved 100% compliance) based on updated data such as data subsequently collected through onsite monitoring, State data system or desk audit; and (2) has corrected each individual case of noncompliance or in the case of a timeline-specific requirement, completed the required action, although late, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP memo 09-02.*

Describe the specific actions that the State took to verify the correction of findings of noncompliance identified in FFY 2009 (including any revisions to general supervision procedures, technical assistance provided and/or any enforcement actions that were taken):

For the 268 findings identified in 2009-2010 the NHDOE used the following process to verify correction as soon as possible but no later than one year from identification. The State verified the correction of the noncompliance either through onsite visit and file review and/or through a NHDOE desk audit monitoring review of district submitted written documentation of the correction of the noncompliance. The NHDOE verified correction of noncompliance to ensure that the LEA had corrected each individual case of noncompliance, unless the child was no longer in the jurisdiction of the LEA. Specifically, the NHDOE reviewed files for correction or required LEAs to submit data demonstrating individual correction.

In addition, the NHDOE verified that the LEA was correctly implementing the specific regulatory requirements related to the findings through the review of subsequent data demonstrating 100% compliance. The verification was accomplished through an onsite monitoring visit with a review of a representative selection of student files, policies and procedures and other evidence to ensure that the LEA is implementing the specific regulatory requirements. When the NHDOE completes a file review, the

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NHDOE files a representative selection of student files to ensure confidence that the LEA has implemented the regulations with 100% compliance. In responding to indicators 3B, 11, 12 and 13 in the FFY 2010 APR, the NHDOE reported on the correction of noncompliance as described in the NH Part B FFY 2009 SPP/APR Response Table.

The findings reported in this indicator reflect all noncompliance identified through monitoring, data collections, and dispute resolution. Written findings were made consistent with OSEP Memorandum 09-02 that identified the LEAs where noncompliance occurred and their levels of noncompliance and included the regulatory citations. All noncompliant practices were addressed through root cause analyses and improvement activities. Policies and procedures were revised as necessary.

Actions Taken if Noncompliance Not Corrected

For the nine findings of noncompliance that were not timely corrected, the NHDOE implemented enforcement actions and additional focused technical assistance. This included onsite monitoring with technical assistance by focused monitoring staff and teleconferences with NHDOE personnel. Noncompliance was corrected prior to the need to redirect or withhold funds.

Following those activities, the NHDOE verified that the LEAs were correctly implementing the specific regulatory requirements consistent with OSEP memo 09-02 as described above. The NHDOE verified correction in accordance with OSEP Memo 09-02 (including individual correction and review of subsequent data) for the remaining 9 findings of noncompliance.

Additional Information required by the OSEP FFY 2009 APR Response Table for this Indicator (if applicable):

Statement from the Response Table	State's Response
In reporting on correction of findings of noncompliance in the FFY 2010 APR, the State must report that it verified that each LEA with noncompliance identified in FFY 2009: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2010 APR, the State must describe the specific actions that were taken to verify the correction. In addition, in reporting on Indicator 15 in the FFY 2010 APR, the State must use the Indicator 15 Worksheet.	The State has reported on this in the FFY 2010 APR
In addition, in responding to Indicators 3B, 11, 12, and 13 in the FFY 2010 APR due February 1, 2012, the State must report on correction of the noncompliance described in this table under those indicators.	The State has reported on this in the FFY 2010 APR

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011 (if applicable):

There were no revisions to the SPP for this indicator.

Overview of the Annual Performance Report Development:

The development of the NH Part B State Annual Performance Report (APR) for FFY 2010 is described in the Overview section of the APR.

Stakeholder Involvement

The NHDOE Bureau of Special Education provided information to the NH Special Education State Advisory Committee on the Education of Students/Children with Disabilities (SAC). The information included results of complaint findings by allegations for multiple years. The complaint manual was completed and vetted through a variety of stakeholders and is now available in electronic and hard copy formats.

Technical Assistance

In the OSEP letter to the NHDOE dated June 20, 2011, OSEP identified the NHDOE data of 60% compliance for Indicator 16 a special factor affecting the determination of needs assistance. The NHDOE took advantage of the recommended sources of technical assistance related to Indicator 16 on the Right IDEA website as follows:

- Explored CADRE Exemplars website for resources and information, as well as other resources related to CADRE.
- Reviewed several documents including *Indicators B16-19 Summary document* which analyzed the success rate of states with this indicator, summarized progress and slippage and provided trend data in the Complaint Extension Memo (posted 5.18.10) and the Part B Investigative Questions Indicator 16 – Complaints documents.

The NHDOE participated in the NERRC Legal and Regulatory workgroup which brings together seven states to discuss policies and procedures regarding dispute resolution including complaints, case law and compliance. The NHDOE Complaint Officer was an active member of the CADRE list serve, using that as a resource for understanding the complexities of IDEA relative to complaints.

Monitoring Priority: Effective General Supervision Part B / General Supervision

Indicator 16: Percent of signed written complaints with reports issued that were resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint, or because the parent (or individual or organization) and the public agency agree to extend the time to engage in mediation or other alternative means of dispute resolution, if available in the State.

(20 U.S.C. 1416(a)(3)(B))

Measurement: Percent = $[(1.1(b) + 1.1(c)) \text{ divided by } 1.1] \text{ times } 100.$

Overview of FFY Data:

FFY 2004 SPP – Baseline year: 100%

FFY 2005 APR – First year data: 100%

FFY 2006 APR - Second year of data: 100%

FFY 2007 APR – Third year of data: 100%

FFY 2008 APR – Fourth year of data: 22%

FFY 2009 APR – Fifth year of data: 60%

FFY 2010 APR – Sixth year of data: 100%

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FFY	Measurable and Rigorous Target
FFY 2010-2011	NHDOE will maintain 100% compliance with the 60 day time limit, or a 60 day time limit extended only for exceptional circumstances with respect to a particular complaint.

FFY	Actual Target Data
FFY 2010-2011	100%

Actual Target Data for FFY 2010 (reporting period July 1, 2010 – June 30, 2011):

Calculation

Percent = [(1.1(b) + 1.1(c)) divided by 1.1] times 100.

100% = [(38 + 0) divided by 38] times 100.

Explanation of Calculation

The Bureau of Special Education collected the number of complaints for the time period of July 1, 2010 to June 30, 2011. The Bureau of Special Education identified 38 complaints (1.1(b)) with reports issued within the timeline and 0 (1.1(c)) complaints with reports issued within extended timelines. There were a total of 38 (1.1) complaints with reports issued.

Data for this indicator are provided in the federal annual Table 7, *Report of Resolution Under Part B, of The Individuals with Disabilities Education Act 2009 – 10* submitted to OSEP for the 11/1/10 deadline.

Of the 38 complaints with reports issued during this reporting period, 38 complaints (100%) were resolved within a 60 day timeline. No timelines were extended for exceptional circumstances or otherwise. Of the 38 complaints with reports issued, 100% of the complaints met the timelines or properly extended timelines.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010:

Note: The NHDOE reports improvement activities as completed or not completed based on the expectations for the activity for the reporting period. Even though an activity may be reported as completed for the reporting period, the activity may be ongoing and continue in the next year.

SPP Improvement Activity 1: Completed

NHDOE complaint investigators have had no more than two active complaints at any time in FY 11 and we continue to restrict active complaints under investigation to no more than two per investigator at any time.

SPP Improvement Activity 2: Completed

NHDOE complaint investigators have completed all assigned complaints in FY 11 within 35 days of receipt. The complaint officer will continue to monitor complaint investigators to maintain 100% compliance with this state procedure.

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SPP Improvement Activity 3: Completed

The complaint officer tracks the time taken to complete all investigations on an ongoing basis. This diligence has resulted in all complaint investigations being completed within the timeline.

SPP Improvement Activity 4: Completed

Discussion of Improvement Activity: Data reported in Table 7 indicates the state now completes all investigations within the timeline.

SPP Improvement Activity 5: Completed

The NHDOE will post the results (summaries) of the most recent complaint findings on the NHDOE's website as soon as FY 2011 complaints have been resolved.

http://www.education.nh.gov/instruction/special_ed/complaint.htm

Explanation of Progress or Slippage

The NHDOE met the target of 100% for 2010-2011.

State Actual Data: 100% Target: 100%

This is a significant improvement over the past two years. The FFY 2009 APR reported that only 60% of the complaint reports were completed within the 60 days or an allowable extension; and FFY 2008 APR reported that only 22% of the reports were issued on time or within an allowable extension. NHDOE believes that the improvement activities completed have resulted in this remarkable improvement

Regarding the NH Response Table from OSEP – June 20, 2011

As required in the NH Response Table from OSEP, the NHDOE reviewed improvement activities and determined that they were sufficient to ensure that the state could provide data in the FFY 2010 APR, due February 1, 2012 demonstrating compliance with the timely complaint resolution requirements in 34 CFR §300.152.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011:

There were no revisions to the SPP for this indicator.

Overview of the Annual Performance Report Development:

The development of the NH Part B State Annual Performance Report (APR) for FFY 2010 is described in the Overview section of the APR.

Stakeholder Input

The NHDOE sends an evaluation to the parties involved in any adjudicated proceeding to gather input on what went well and areas that might need improvement regarding the process and experience of the participants. The evaluation is incorporated into the quarterly evaluation of the hearing officer and also used in the NHDOE's annual evaluation of the hearing officer. These data are used to determine whether or not to continue with the hearing officer's contract. In addition, the manager of the program audits mediations and hearings periodically to determine the efficacy of the process.

Technical Assistance

The Office of Legislation and Hearings has actively participated in the online list serve (CADRE) dedicated to administrative due process hearings and thereby gained national perspective on issues that all states have in common.

Monitoring Priority: Effective General Supervision Part B / General Supervision

Indicator 17: Percent of adjudicated due process hearing requests that were adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party or in the case of an expedited hearing, within the required timelines.

(20 U.S.C. 1416(a)(3)(B))

Measurement: Percent = 5 + 7 divided by 12 times 100 = 100%

Overview of FFY Data:

FFY 2004 SPP – Baseline year: 79%

FFY 2005 APR – First year of data: 100%

FFY 2006 APR – Second year of data: 100%

FFY 2007 APR – Third year of data: 100%

FFY 2008 APR – Fourth year of data: 57%

FFY 2009 APR – Fifth year of data: 100%

FFY 2010 APR – Sixth year of data: 100%

FFY	Measurable and Rigorous Target
FFY 2010-2011	100% of fully adjudicated hearings will be completed within 45 days or the 45 day timeline with proper extensions granted.

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FFY	Actual Target Data for FFY 2009 (reporting period July 1, 2010 – June 30, 2011)
FFY 2010-2011	100%

Calculation

Percent = [(3.2(a) + 3.2(b)) divided by 3.2] times 100

100% = [(5+7)/12]*100

Explanation of Calculation

The Office of Legislation and Hearings provided the number of due process hearings fully adjudicated for the time period of July 1, 2010 to June 30, 2011. Data for this indicator are consistent with the federal annual Table 7, *Report of Resolution Under Part B, of The Individuals With Disabilities Education Act 2010 -11*.

The Office of Legislation and Hearings identified that 100% (12 out of 12) of the fully adjudicated hearings were completed within the 45 day timeline or the 45 day timeline with proper extensions granted to a date certain. Of these 12 full adjudicated hearings, 5 were completed within the 45 day timeline and 7 were completed within a properly extended timeline.

If there is a request to extend the timeline, the hearing officer notifies the Office of Legislation and Hearings the new end date, the reason for the continuance, the party that requested it and the hearing officer's decision to grant the continuance. The request is reviewed for appropriateness. Delays in the completion of hearings are considered to be a factor in the evaluation of a hearing officer's performance. The end date for hearing officers is considered to be the 43rd day of hearing in order to allow the NHDOE to complete the process and meet the 45 day timeline.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010:

Note: The NHDOE reports improvement activities as completed or not completed based on the expectations for the activity for the reporting period. Even though an activity may be reported as completed for the reporting period, the activity may be ongoing and continue in the next year.

NH SPP Improvement Activity 1: Completed

The internal committee on due process hearings has met, and will continue to meet at least twice a year, to develop topics for review and discussion at the biannual hearing office trainings. These trainings are being facilitated by the Attorney General's office.

NH SPP Improvement Activity 2: Completed

The NHDOE's Office of Legislation and Hearings continually monitors that all due process hearings are conducted consistent with NH and Federal requirements.

NH SPP Improvement Activity 3: Completed

The NHDOE, through the continuous input from stakeholders and the ongoing monitoring of the process, has refined processes and practices and developed an administrative manual that is available to all parties that participate in administrative due process hearings. NHDOE has, and will, request the assistance of NERRC, CADRE, and OSEP resources to resolve complex or new issues not addressed in state or federal law.

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Explanation of Progress or Slippage

The NHDOE met the target of 100% for 2010 – 2011.

State Actual Data: 100% Target: 100%

The data for this indicator met the compliance standard of 100%. NH also achieved compliance for this indicator in FFY 2009.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011:

There were no revisions to the SPP for this indicator.

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Overview of the Annual Performance Report Development:

The development of the NH Part B State Annual Performance Report (APR) for FFY 2010 is described in the Overview section of the APR.

Monitoring Priority: Effective General Supervision Part B / General Supervision

Indicator 18: Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements.

(20 U.S.C. 1416(a)(3(B))

Measurement: Percent = (3.1(a) divided by 3.1) times 100.

Overview of FFY Data:

FFY 2004 SPP - No Data – NH did not meet the threshold for reporting of at least 10 resolution sessions.

FFY 2005 SPP - No Data – NH did not meet the threshold for reporting of at least 10 resolution sessions.

FFY 2006 SPP – Baseline year: 38.7%

FFY 2007 APR – First year of data: 100%

FFY 2008 APR – Second year of data: 84%

FFY 2009 APR – Third year of data: 69%

FFY 2010 APR – Fourth year of data: 71%

FFY	Measurable and Rigorous Target
FFY 2010-2011	75% of resolution sessions held will result in a signed written agreement.

FFY	Actual Target Data for FFY 2009 (reporting period July 1, 2010 – June 30, 2011)
FFY 2010-2011	71%

Calculation

Percent = (3.1(a) divided by 3.1) times 100

71% = [(10 divided by 14)] times 100

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Explanation of Calculation

The Office of Legislation and Hearings provided the number of resolution meetings for the time period of July 1, 2010 to June 30, 2011. The Office of Legislation and Hearings identified that 71% (10 out of 14) of the resolution sessions resulted in written settlement agreements.

Data for this indicator are provided in the federal annual Table 7, *Report of Resolution Under Part B, of The Individuals With Disabilities Education Act 2009 – 10*.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010:

Note: The NHDOE reports improvement activities as completed or not completed based on the expectations for the activity for the reporting period. Even though an activity may be reported as completed for the reporting period, the activity may be ongoing and continue in the next year.

NH SPP Improvement Activity 1: Completed

The NHDOE has developed a Facilitated IEP Meeting manual for use in training and reference for all of the NHDOE's sixteen facilitators.

NH SPP Improvement Activity 2: Completed

The NHDOE presently has 16 trained facilitators in our database. The Department is conducting quarterly trainings to increase the number of trained facilitators. To enhance and increase the technical assistance strategies offered to school districts these trainings will include individuals that have been contracted by the department to provide technical assistance to districts, with the goal of resolving issues in dispute in the least adversarial manner possible and provide direct instruction in how to run efficient, effective meetings where all are heard and respected.

Explanation of Progress or Slippage

The NHDOE did not meet the target of 75% for 2010-2011.

State Actual Data: 71% Target: 75%

The NHDOE's data demonstrate progress from 69% in FFY 2009 to 71% in FFY 2010. As recommended by OSEP, the target for next year will be a range rather than a specific percentage. The results for FFY 2010 (71%) are within the target range for FFY 2011 (62% - 72%). Families are not required to resolve issues through resolution sessions, therefore it is widely recognized that targets are difficult to set. NHDOE does not expect the number to show an increase from year to year.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011:

There were no revisions to the SPP for this indicator.

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Overview of the Annual Performance Report Development:

The development of the NH Part B State Annual Performance Report (APR) for FFY 2010 is described in the Overview section of the APR.

Monitoring Priority: Effective General Supervision Part B / General Supervision

Indicator 19: Percent of mediations held that resulted in mediation agreements.

(20 U.S.C. 1416(a)(3)(B))

Measurement:

Percent = [(2.1(a)(i) + 2.1(b)(i)) divided by 2.1] times 100.

Overview of FFY Data:

FFY 2004 SPP – Baseline year: 77.61%

FFY 2005 APR – First year of data: 88.33%

FFY 2006 APR – Second year of data: 51.5%

FFY 2007 APR – Third year of data: 100%

FFY 2008 APR – Fourth year of data: 78%

FFY 2009 APR – Fifth year of data: 82%

FFY 2010 APR – Sixth year of data: 60%

FFY	Measurable and Rigorous Target
FFY 2010-2011	During this period 85% of mediations will result in a signed written agreement.

FFY	Actual Target Data
FFY 2010-2011	60%

Actual Target Data for FFY 2010 (reporting period July 1, 2010 – June 30, 2011):

Calculation

Percent = [(2.1(a)(i) + 2.1(b)(i) divided by 2.1] times 100.

60% = [(6 + 12) divided by 30] times 100.

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Explanation of Calculation

The Office of Legislation and Hearings provided the number of mediations requests and mediations held for the time period of July 1, 2010 to June 30, 2011. The Office of Legislation and Hearings identified that 60% (18 out of 30) mediations resulted in a signed written agreement. Of the 30 mediations, 6 were related to due process complaints and 12 were not related to due process complaints.

Data for this indicator are provided in the attached federal annual Table 7, *Report of Resolution Under Part B, of The Individuals With Disabilities Education Act 2009– 10*.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010:

Note: The NHDOE reports improvement activities as completed or not completed based on the expectations for the activity for the reporting period. Even though an activity may be reported as completed for the reporting period, the activity may be ongoing and continue in the next year.

NH SPP Improvement Activity 1: Completed

The NHDOE has collected information from parties to mediation for the past several years. This information has resulted in changes in personnel who act as mediators as well as practices within the mediation process to ensure that the process is viewed as fair and impartial.

NH SPP Improvement Activity 2: Completed

The NHDOE will continue to monitor the feedback received and provide technical assistance, as necessary, to ensure that parties have every opportunity to reach agreement through the mediation process.

NH SPP Improvement Activity 3: Completed

The NHDOE will continue to track the success rate for mediations and will review the barriers when mediations fail to result in an agreement. To the extent possible, the department will provide training opportunities to enhance the skills of the mediators.

Explanation of Progress or Slippage

The NHDOE did not meet its target of 85% for 2010-2011.

State Actual Data: 60% Target: 85%

The NHDOE's data indicate slippage from FFY 2009. This is based on small numbers which impacts the percentage. Targets were revised last year for FFY 2001 and FFY 2012 to represent a range. The NHDOE revised improvement activities in the SPP submitted on 2/1/11 for implementation in 2011-2012 in order to address slippage in this indicator.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011:

There were no revisions to the SPP for this indicator.

Overview of the Annual Performance Report Development:

The development of the NH Part B State Annual Performance Report (APR) for FFY 2010 is described in the Overview section of the APR.

Stakeholder Input

The NHDOE meets quarterly with the NHSEIS stakeholder group to discuss improvements to the data system and needed technical assistance to ensure timely and accurate data.

Technical Assistance

In the OSEP letter to the NHDOE dated June 20, 2011, OSEP identified the NHDOE data of 92% compliance for Indicator 20 as a special factor effecting NH's determination of needs assistance. The NHDOE took advantage of the recommended sources of technical assistance related to Indicator 20 on the Right IDEA website, including a review of documents and resources and specific work with the Data Accountability Center and OSEP sponsored events as described below.

The NHDOE has been working with the Data Accountability Center (DAC) through the development of both the FFY2007, 2008, 2009 and 2010 APR. The NHDOE has worked extensively with DAC through our work plan to ensure the quality of the data reported in the SPP/APR submission. In addition, the NHDOE has worked with DAC to verify that the LEA was correctly implementing the specific regulatory requirements related to findings. Our data manager continues to attend data management conferences and participates in available data manager events such as teleconferences, webinars and LISTSERV activities.

The NHDOE Bureau of Special Education Administrator, SPP/APR Coordinator, the EDFacts Coordinator and the Systems Development Coordinator completed the DAC online Module for New Data Managers. In addition, the NHDOE sent staff to the OSEP Mega Conference which combined the Data Managers Conference and Leadership Conference. Staff attended data workshops in order to gain better understanding of data collection and analysis processes.

The NHDOE accessed the OSEP funded SPP/APR calendar for technical assistance regarding this indicator. Resources reviewed included the B20 Rubric and other documents specific to Indicator 20.

Indicator 20: State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate.

(20 U.S.C. 1416(a)(3)(B))

Measurement:

State reported data, including 618 data, State Performance Plan, and Annual Performance Reports, are:

- a. Submitted on or before due dates (February 2 for child count, including race and ethnicity; placement; November 2 for exiting, discipline, personnel and dispute resolution; December 15, assessment; and February 1 for Annual Performance Reports and assessment); and
- b. Accurate, including covering the correct year and following the correct measurement.

States are required to use the "Indicator 20 Scoring Rubric" for reporting data for this indicator (see Attachment B).

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Overview of FFY Data

FFY 2004 SPP – Baseline Year: 100%

FFY 2005 APR – First year of data: 95%

FFY 2006 APR – Second year of data: 85.6%

FFY 2007 APR – Third year of data: 89%

FFY 2008 APR – Fourth year of data: 90.47%

FFY 2009 APR – Fifth year of data: 92.86%

FFY 2010 APR – Sixth year of data: 100%

FFY	Measurable and Rigorous Target
FFY 2010	100%

FFY	Actual Target Data
FFY 2010	100%

Actual Target Data for FFY 2010 (reporting period July 1, 2010 – June 30, 2011):

Note that the actual target data was derived from the Indicator 20 Data Rubric. A copy of the rubric is included below in the section titled “Indicator 20 Scoring Rubric.”

Calculation

$$100\%=[(90/90)\times 100]$$

Explanation of Calculation

Submission of SPP/APR Data

The NHDOE has submitted the FFY 2010 APR with valid and reliable data for all indicators by the required deadlines. The NHDOE ensures that data submitted in the SPP/APR are valid and reliable through a variety of means. Data tied to the 618 data reporting requirements have data quality checks built into the data collection process. Data collected through a desk audit monitoring process and statewide surveys are reviewed by the NHDOE and verified through cross-checks for data accuracy and completeness. The NHDOE verifies the timely correction of noncompliance, consistent with OSEP memo 09-02, through a review of a representative selection of students, policies and procedures and other evidence as needed to ensure that the LEA is implying the specific regulatory requirements.

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Submission of 618 data (Federal Tables)

The NHDOE used different databases for the collection of the 618 data for the federal tables. Table 1, 3, 4, and 5 are generated using information from the New Hampshire Special Education Information System (NHSEIS). Table 2 was generated using information from the NHDOE Bureau of Credentialing. Table 6 was generated using information from the NHDOE Bureau of Accountability, Table 7 was generated using the database from the NHDOE Office of Legislation and Hearing and Bureau of Special Education, Complaint Officer, and Table 8 was generated using the data collected through a desk audit process by the Bureau of Special Education.

NHSEIS was designed using data collection instruments which ensure that data entered into the system were valid and reliable. NHSEIS provides error message with explanation when data are entered that are incorrect giving districts an opportunity to reenter correct data. The NHDOE offered continuous technical assistance and training to districts including monthly forums, on-site training and phone/email support. NHDOE staff members were available to assist districts on a daily basis with NHSEIS.

The NHDOE worked with Data Accountability Center (Westat Sanay Abraham) to verify and agree with Part B Report that all report and error messages that were sent to the NHDOE had been submitted and responded in a timely and accurate data for FFY 2010.

Indicator 20 Scoring Rubric

The NHDOE calculated data for the SPP/APR and 618 data using the Indicator 20 Scoring Rubric found on the SPP/APR Calendar.

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SPP/APR Data - Indicator 20			
APR Indicator	Valid and Reliable	Correct Calculation	Total
1	1		1
2	1		1
3A	1	1	2
3B	1	1	2
3C	1	1	2
4A	1	1	2
4B	1	1	2
5	1	1	2
7	1	1	2
8	1	1	2
9	1	1	2
10	1	1	2
11	1	1	2
12	1	1	2
13	1	1	2
14	1	1	2
15	1	1	2
16	1	1	2
17	1	1	2
18	1	1	2
19	1	1	2
		Subtotal	40
APR Score Calculation	Timely Submission Points - If the FFY 2010 APR was submitted on-time, place the number 5 in the cell on the right.		5
	Grand Total - (Sum of subtotal and Timely Submission Points) =		45.00

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618 Data - Indicator 20					
Table	Timely	Complete Data	Passed Edit Check	Responded to Data Note Requests	Total
Table 1 - Child Count Due Date: 2/2/11	1	1	1	N/A	3
Table 2 - Personnel Due Date: 11/2/11	1	1	1	N/A	3
Table 3 - Ed. Environments Due Date: 2/2/11	1	1	1	1	4
Table 4 - Exiting Due Date: 11/2/11	1	1	1	N/A	3
Table 5 - Discipline Due Date: 11/2/11	1	1	1	N/A	3
Table 6 - State Assessment Due Date: 12/15/11	1	N/A	N/A	N/A	1
Table 7 - Dispute Resolution Due Date: 11/2/11	1	1	1	N/A	3
Table 8 - MOE/CEIS Due Date: 5/1/11	1	N/A	N/A	N/A	1
				Subtotal	21
618 Score Calculation			Grand Total (Subtotal X 2.045) =		42.95

Indicator #20 Calculation	
A. APR Grand Total	45.00
B. 618 Grand Total	42.95
C. APR Grand Total (A) + 618 Grand Total (B) =	87.95
Total N/A in APR	0
Total N/A in 618	2.0454
Base	87.95
D. Subtotal (C divided by Base*) =	1.000
E. Indicator Score (Subtotal D x 100) =	100.00

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* Note any cell marked as N/A will decrease the denominator by 1 for APR and 2.045 for 618.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010:

Note: The NHDOE reports improvement activities as completed or not completed based on the expectations for the activity for the reporting period. Even though an activity may be reported as completed for the reporting period, the activity may be ongoing and continue in the next year.

NH SPP Improvement Activity 1: Completed

During the year the NHDOE worked with the districts to the use of Data Quality Report in NHSEIS (the State database: New Hampshire Special Education Information System) to verify their data for reliability and accuracy. The NHDOE continued to hold weekly teleconferences to provide information and technical assistance to districts regarding data entry and verification through NHSEIS. The minutes from the teleconferences were posted to the main page in NHSEIS for the districts' use. The NHDOE continued to train the LEAs regarding the business rules within specific data fields to improve the quality of district data and to reduce initial errors that require correction.

http://www.education.nh.gov/instruction/special_ed/memos.htm

NH SPP Improvement Activity 2: Completed

NHDOE provided ongoing clarification and guidance to districts regarding reporting on children with disabilities. These memos can be found with all FFY 2010 memos on the following website:

http://www.education.nh.gov/instruction/special_ed/memos.htm#fy11

- September 2011 Memo #5: The NHDOE provided to the Local Education Agencies the reporting requirements of Children with Disabilities Subject to Disciplinary Removal in Student Discipline Data within NHSEIS.
- September 2011 Memo #8: The NHDOE provided the districts with the requirement and Deadlines for Entering Data on Children Exiting Special Education for Reporting Requirements.
- September 2011 Memo #9: The NHDOE provided the Local Education Agencies with the Reporting requirements for the October 1 Federal Child count and Environmental Data in NHSEIS for students with disabilities.
- October 2011 Memo #11: The NHDOE provided guidance regarding Race/Ethnicity, with the data entry and reporting requirements.
- May 2011 Memo #25: The NHDOE provided the districts with the reporting requirements for Indicator 14 Post School Outcomes Collection in entering data in NHSEIS.

NH SPP Improvement Activity 3: Completed

The NHDOE began to look at trend data within districts and at the state level to assess how to best improve student results. The NHDOE made connections across indicators, as appropriate to align data collection and quality efforts.

NH SPP Improvement Activity 4: Completed

The NHDOE, through a comprehensive data work plan, worked with DAC and NERRC to refine the collection of data to determine noncompliance and verify correction as it relates to reporting for Indicator 15. This resulted in clarification of the NHDOE desk audit monitoring process and subsequent changes to the reporting year. Data collected through Focused Monitoring is more closely aligned with Indicator 15 through a memorandum of agreement between the NHDOE and the vendor.

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NH SPP Improvement Activity 5: Completed

The NHDOE, through a comprehensive data work plan, received continued support from DAC and NERRC regarding data collection, processing and analysis. Support included skill development for the NHDOE personnel resulting in enhanced management routines for collecting and using 616 and 618 data. The NHDOE submitted 2010-2011 618 data (Tables 1, 2, 3, 4, 5, and 6) from electronic collection approved September 2010.

Explanation of Progress or Slippage

The NHDOE met the target of 100% for 2010-2011.

State Actual Data: 100%

Target: 100%

The NHDOE demonstrated progress in this indicator of 7.14 percentage points from the previous APR (from 92.86% to 100%) demonstrating compliance with this indicator. The NHDOE attributes this progress to the ongoing monitoring, better timelines, better communication with Westat, EDFacts and the vendor understanding of the process for reporting. The NHDOE has reviewed its improvement activities and has determined that they are sufficient to enable the State to demonstrate compliance with timely and accurate reporting requirements.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011:

There were no revisions to the SPP for this indicator.